

OFFICER GEORGE MARIN  
January 11, 2024

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Transcript of the Testimony of  
**OFFICER GEORGE MARIN**

**Date:** January 11, 2024

**Case:** WESTMORELAND VS. DART

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

EUGENE WESTMORELAND, )  
individually and for a )  
class, )  
Plaintiff, )  
vs. ) No. 1:23-cv-01851  
THOMAS DART, Sheriff of )  
Cook County, and COOK )  
COUNTY, ILLINOIS, )  
Defendants. )

This is the deposition of GEORGE J. MARIN, JR., called by the Plaintiff for examination, taken via Zoom videoconferencing, taken pursuant to the Federal Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, taken before PEGGY A. ANDERSON, a Certified Shorthand Reporter of the State of Illinois, on January 11, 2024, at 10:00 a.m.

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2  
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(WHEREUPON, the witness  
was first duly sworn.)

MR. MORRISSEY: This is the deposition of Officer Marin taken pursuant to notice and continued to today's date.

WHEREUPON:

GEORGE J. MARIN, JR., called as a witness herein, having been first duly sworn, was examined and testified as follows:

D I R E C T   E X A M I N A T I O N  
BY MR. MORRISSEY:

Q Officer, I'm going to ask you a series of questions this morning. If you don't understand a question, please stop me and I'll rephrase it. Is that understood?

A Yes.

Q Will you please state your full name, Officer?

A George Javier Marin, Jr.

Q Mr. Marin, where did you go to high school?

A I'm sorry?

Q Where did you go to high school?

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A Kankakee High School.

Q Did you graduate from high school?

A Yes, sir.

Q In what year?

A 2003.

Q After graduating from high school, did you continue your education?

A Yes.

Q Where did you attend school?

A I went to Robert Morris College where I ended up finishing my bachelor's degree at Robert Morris College in Chicago, Illinois.

Q In what year did you receive your bachelor's degree?

A I believe it was 2007.

Q Did you major in any subject matter at Robert Morris?

A It was business management.

Q During the time between 2003 to 2007 when you were attending Robert Morris, did you work in the field of law enforcement?

A No.

Q After graduating from Robert Morris College, what did you do?

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A I ended up working warehouse, and then I became employed with the Cook County Medical Examiner's Office in 2010.

Q Between 2007 and 2010, when you worked in the warehouse, was that in the law enforcement field?

A No, sir.

Q In 2010, you said you took a position with the Cook County Medical Examiner?

A Yes.

Q What position did you take?

A It was intake attendant.

Q How long did you work for the Cook County Medical Examiner?

A A little over 11 years.

Q In the 11 years that you worked at the Cook County Medical Examiner's Office, did your position change at all?

A Yes.

Q What are the various positions you held at the Cook County Medical Examiner?

A It was intake attendant and intake supervisor and then forensic technician supervisor.

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Q Were any of those positions related to law enforcement?

A No.

Q What did you do as an intake attendant?

A We processed the deceased when they entered our facility. We notated the basics as far as race, height, weight, what the individual was wearing, clothing, and then we would enter death certificates that the pathologist would complete as far as the ruling of, you know, how the individual passed away or the manner of death, and then we would be -- we were responsible for sending the bodies to the funeral homes when the families make arrangements.

Q So your job as an intake attendant involved making various official records and documents in regards to processing a decedent's body. Is that fair to say?

A In that office, yes.

Q What did you do as a forensic technician?

A My time as the forensic technician

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1 supervisor, I was responsible for the staff,  
2 making sure that we were releasing the  
3 decedents, bringing them in and doing the full  
4 autopsies while sending out tox samples, if  
5 needed, for the decedents.

6 Q Were you trained in the field of  
7 forensics science as a technician?

8 A On-the-job training.

9 Q When did you join the -- was the next  
10 position that you had with the Cook County  
11 Sheriff?

12 A 2022 is when I joined the Cook County  
13 Sheriff's Department.

14 Q Did you go directly from the Cook  
15 County Medical Examiner's Office to the  
16 Sheriff's Office?

17 A No. I had a short period of a break  
18 from -- I resigned from the Medical Examiner's  
19 Office and then -- in July of 2021 and ended up  
20 taking the position March 2022 with the  
21 Sheriff's Department as a correctional officer.

22 Q Why did you resign from the Medical  
23 Examiner's Office?

24 A It was just change of pace and I, at

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1 the time, just wanted something more, I guess,  
2 demanding and challenging.

3 Q Between the time that you left the  
4 examiner's office until the time you joined the  
5 Cook County Sheriff's Office, were you  
6 employed?

7 A No.

8 Q In what month did you join the  
9 Sheriff's Office?

10 A It was -- my official start date was  
11 March 2022.

12 Q When you joined the Sheriff's Office,  
13 what division or office did you join within the  
14 Sheriff's Office?

15 A It was corrections.

16 Q Initially, did you attend the academy  
17 when you joined the Sheriff's Office?

18 A Yes.

19 Q Where was the training academy  
20 located?

21 A The main facility was Moraine Valley  
22 Community College.

23 Q For what period of time in 2022 did  
24 you attend Moraine Valley, the academy at

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1 Moraine Valley?

2 A I want to say it was possibly between  
3 the months of March through May, June.

4 Q Was that five days a week?

5 A Yes.

6 Q And was that classroom instruction?

7 A I'm sorry?

8 Q Did you receive classroom  
9 instructions to take a position as a  
10 correctional officer?

11 A Yes. We did have instructors  
12 teaching us.

13 Q Can you briefly describe your courses  
14 that you took at Moraine Valley between March  
15 of 2022 and June of March [sic] 2022?

16 A It ranged from defensive tactics,  
17 crisis intervention, first aid and a lot of the  
18 instructions or instructors were teaching us  
19 just our responsibilities in the jail.

20 Q Was that online or was that actually  
21 in classrooms that you attended those courses?

22 A It was in classroom.

23 Q Did you have to pass certain exams at  
24 the academy to become a correctional officer?

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1 A Yes.

2 Q Now, this case involves an alleged  
3 violation of Mr. Westmoreland's rights under  
4 the Americans with Disabilities Act.

5 At the academy, can you tell me how  
6 many courses that you were provided in regards  
7 to the Americans with Disability Act?

8 A From what I remember, it was one  
9 training course.

10 Q Do you know who the instructor was?

11 A I do not.

12 Q Was that a one day -- let me rephrase  
13 the question.

14 At the training academy in regards to  
15 issues involving the American for [sic]  
16 Disability Act, was that only taught during one  
17 session at the academy?

18 A For that main subject, it was just --  
19 we had -- from what I remember just like an ADA  
20 training course just for that subject.

21 Q Was that --

22 A But throughout the -- but it ranged  
23 like -- it wasn't -- it possibly was from two  
24 to six hours. I don't know the amount of hours

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1       that the training instructor was there. I  
2       don't remember. I know it was -- we did have  
3       an ADA course.

4       Q     Could it have been limited to a  
5       one-hour period of time?

6       A     No.

7       Q     Do you know the name of the  
8       instructor?

9       A     No.

10      Q     Do you have any -- did you receive  
11     any handouts or written materials in regards to  
12     that one day at the academy that you were  
13     taught information in regards to the ADA in  
14     relation to being a correctional officer?

15      A     From what I remember, it was  
16     PowerPoint.

17      Q     Do you know if it was -- the  
18     instructor was a male or a female?

19      A     I do not.

20      Q     Would anything refresh your memory?

21      A     To be honest, no.

22      Q     Do you know a person by the name of  
23     Sabrina Canchola Rivera [sic]?

24      A     The name does sound familiar, yes.

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1       Q     As a correctional officer, have you  
2       received an e-mail from Ms. Rivero?

3       A     From Sabrina, I do remember receiving  
4       an e-mail.

5       Q     Did you receive an e-mail from her in  
6       regards to Eugene Westmoreland, the plaintiff  
7       in this case?

8       A     From what I remember, yes, it was an  
9       e-mail regarding an incident with  
10      Mr. Westmoreland.

11      Q     Was that the incident on February 18th,  
12     2022, which was the date Mr. Westmoreland went  
13     over to Division 4 to vote?

14      A     The -- I think you have the dates  
15     wrong.

16      Q     All right. What date was the e-mail  
17     involving?

18      A     I know it was February 18th. You  
19     have the year wrong. I didn't start the  
20     corrections until 2022, so that incident  
21     occurred in 2023, February 18th.

22      Q     I'm sorry. Was it February 18th,  
23     2023, the date in which you received an e-mail  
24     where the subject was about Mr. Westmoreland

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1       being in Division 4?

2       A     It was regarding February 18th  
3       regarding Mr. Westmoreland, yes.

4       Q     Prior to today's deposition, did you  
5       have an opportunity to talk to your attorney?

6       A     We did discuss.

7       Q     Did you review any documents prior to  
8       today's deposition in preparation to sit down  
9       and be the deponent in this deposition?

10      A     Reviewing documents, no. It was just  
11     letting me know about today.

12      Q     Did you review specifically prior to  
13     today the e-mail that you received from  
14     Ms. Canchola about Mr. Westmoreland on  
15     February 18, 2023?

16      A     An e-mail was discussed and I did  
17     remember Paul pulling it up for my own memory.

18      Q     So you reviewed that e-mail prior to  
19     this dep?

20      A     It was the e-mail, yes, from myself  
21     and Sabrina.

22      Q     Did you review any PowerPoints that  
23     you were given at the training academy in  
24     preparation for today's deposition?

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1       A     We did look at the PowerPoints, but I  
2       am not sure if it's the same information that  
3       we covered when I was in corrections.

4       Q     What PowerPoints did you look at  
5       prior to today's deposition?

6       A     It was --

7       MR. RADUNSKY: I don't think he's  
8       going to remember -- hold on. Well, go  
9       ahead, George. I mean, I was going to say,  
10      Tom, it's the ones that we just -- it's the  
11      one that we just sent you.

12      You can answer, George.

13      BY THE WITNESS:

14      A     Yes. It was --

15      MR. RADUNSKY: I don't think I showed  
16     you the title, you know, but go ahead.

17      BY THE WITNESS:

18      A     No, it was just the PowerPoints of, I  
19     guess, showing us and teaching us about how to  
20     handle individuals with disabilities just like  
21     an ADA training course. I know that changes.  
22     It's fluid every year. It changes. I just  
23     can't recall if it's the PowerPoint that I did  
24     review or it was the same one that I was

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**instructed on back when I was in the academy.**

MR. MORRISSEY: Troy, what PowerPoint did you just send me?

MR. RADUNSKY: It's one of your exhibits. I think it's either 46 or 47. I don't know, Tom. It's one of them. I just looked at your exhibits though to make sure that -- not to make sure but to see what you added, and it was one of those.

BY MR. MORRISSEY:

Q I'm going to show you Plaintiff's Exhibit Number 46. Is this the document that you reviewed prior to the deposition?

MR. RADUNSKY: No, no. That's not the PowerPoint document, Tom. So go back to 43, 44. Let's go off the record, Peggy, while Tom looks for this.

(WHEREUPON, a discussion off the record was held.)

BY MR. MORRISSEY:

Q I'm showing you Plaintiff's Exhibit Number 44.

Is this a document that you reviewed prior to today's deposition?

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**A Yes, sir.**

MR. MORRISSEY: Troy, I'm going to take a three-minute break just to scan this and look at it.

MR. RADUNSKY: Okay.

MR. MORRISSEY: So if we can take a break for a couple of minutes.

MR. RADUNSKY: It's 10:21, George. We are going to come back at 10:25.

THE WITNESS: Okay.

MR. RADUNSKY: George, make sure you turn off your camera and put your thing on mute, okay? So we can't hear or see anything. Okay. Great. Thanks.

(WHEREUPON, a short break was had.)

BY MR. MORRISSEY:

Q Mr. Marin, when did you look at this document prior to today's deposition?

**A Yesterday.**

Q Prior to January 10th, had you seen this PowerPoint before?

**A The same exact one, I don't believe so. I can't remember what document was shown**

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**to us during the academy.**

Q Prior to January 10th, 2024, had you seen this exact document before or was that provided to you -- let me rephrase the question.

Prior to looking at this document yesterday in preparation for the deposition, can you state under oath whether or not you saw this exact document previous?

**A I can't say that I have seen this exact document.**

Q Can you briefly -- you mentioned that at the training academy there was a PowerPoint; is that correct?

**A Yes. The instructors -- every instructor will show us a PowerPoint with what they were teaching us.**

Q Do you have any specific memory in regards to the PowerPoint that was shown to you at the training academy in regards to the ADA?

**A As far as the coarse material?**

Q Correct.

**A It was just, from what I can remember, the basics of just learning the**

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**policy, showing us what the policy is, how to interact with individuals that do have disabilities and, you know, just an overall overview of the Cook County policy of how to interact with individuals, you know, if they were to have a disability, from what I remember.**

Q Do you know whether or not the policy -- the PowerPoint that was shown to you at the academy covered the situation involving various ramps at the Cook County Jail?

**A Yeah, I do, you know, recall just -- or do remember that we were being instructed on how to handle ramps.**

Q Did the policy specifically outline to you as a cadet what a ramp is considered to be in regards to your responsibility as a correctional officer?

MR. RADUNSKY: Just object to the form of the question. You can answer, George, if you understand.

BY THE WITNESS:

**A No, I don't understand. I --**

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1 BY MR. MORRISSEY:

2 Q Sure. You mentioned that the  
 3 PowerPoint covered ramps to the best of your  
 4 recollection when you were at the training  
 5 academy; is that true?

6 A Yes. It did -- it did -- the  
 7 instructor did go over various obstacles that  
 8 we would encounter dealing with individuals  
 9 that have disabilities.

10 Q What obstacles other than ramps did  
 11 you recall the PowerPoint instruction covering  
 12 at the academy?

13 MR. RADUNSKY: I'm sorry, Tom.  
 14 "Other than ramps" you said?

15 MR. MORRISSEY: Yes.

16 MR. RADUNSKY: Okay. Okay. George,  
 17 go ahead.

18 BY THE WITNESS:

19 A Other than ramps, it was obviously  
 20 individuals in wheelchairs, assisting  
 21 individuals that need canes, how to deal with  
 22 individuals that have mental issues or the  
 23 vision- and hearing-impaired individuals, how  
 24 to handle those and how to deal with anyone who

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1 there were different levels, I guess you could  
 2 say, from using a cane to a walker. Sometimes  
 3 an individual could -- only needed a cane for  
 4 long distance walking but they wouldn't need it  
 5 for short distance or vice versa even with  
 6 the -- if an individual was using a walker, it  
 7 would be the same thing as far as long distance  
 8 or short distance. It's just like a -- you  
 9 know, just a notification on what the  
 10 individual can and can't use.

11 Q Since graduating from the academy up  
 12 to the present time, have you received any  
 13 instruction or training in regards to  
 14 assistance a correctional officer shall provide  
 15 to an inmate such as a person using a cane,  
 16 walker or crutches going up or down a ramp at  
 17 the Cook County Jail?

18 A It's just from the instructions and  
 19 just being told or, you know, them explaining  
 20 to us that if individuals who did have issues  
 21 like you're stating needed assistance that we  
 22 would do everything we can to assist and help  
 23 them.

24 Q As a correctional officer, has any

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1 may have a disability. So it stretched a  
 2 little bit beyond from people in wheelchairs  
 3 all the way to people who have hearing and  
 4 vision issues.

5 Q Did the PowerPoint cover providing  
 6 accommodations for people who use walkers in  
 7 relation to ramps?

8 A I can't recall if it was specifically  
 9 walkers. I know it was just any assistance  
 10 needed, the County will provide.

11 Q In regards to people using canes, did  
 12 the PowerPoint at the academy discuss what type  
 13 of assistance would be provided to an  
 14 individual going up and down ramps who used a  
 15 cane?

16 A To my knowledge, no, I'm not sure if  
 17 it was specifically on how to deal with  
 18 individuals going up and down ramps if they  
 19 were using a cane.

20 Q Did the training academy cover what  
 21 type of assistance as a correctional officer  
 22 would be provided to an individual using a  
 23 walker or crutches going up and down a ramp?

24 A The academy did just instruct us that

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1 sergeant, lieutenant, superintendent, executive  
 2 director ever told you what type of assistance  
 3 to provide to a person with an alert for a  
 4 cane, crutch or walker who requests assistance  
 5 going up or down a ramp, what type of  
 6 assistance you should provide?

7 A No. It was never a direct order that  
 8 a certain individual needs this or that. It  
 9 was always given through medical.

10 Q My question is if a person had an  
 11 alert for a cane, crutch or walker, have you  
 12 been given any instruction, training or  
 13 direction from any supervisory person what type  
 14 of assistance you can provide to those people  
 15 with alerts to go up and down ramps?

16 A No. It was never just a direct this  
 17 is how you need to treat certain individuals,  
 18 this is how you need to handle certain  
 19 situations. No. If someone needed a cane or  
 20 wheelchair assistance, just provide it to them,  
 21 and then you make sure you take the -- you  
 22 know, the best route for them.

23 Q But in regards to a ramp -- can you  
 24 define what a ramp is? Let me rephrase the

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1 question.

2 At the training academy, were you  
3 ever instructed in regards to what are -- where  
4 the ramps are at the Cook County Jail?5 **A No.**6 Q As a correctional officer having  
7 worked in the jail since probably March --  
8 since July of 2022, has anybody, any ADA  
9 coordinator ever pointed out to you what are  
10 considered ramps at the Cook County Jail?11 **A No. They never came and just -- they  
12 never gave us a layout of where the ramps are.**13 Q Do you know if there's in the  
14 PowerPoint that you received at the Cook County  
15 Jail in regards to providing assistance to  
16 wheelchair detainees, did the PowerPoint cover  
17 providing assistance in the tunnels for  
18 wheelchair detainees who were being transported  
19 to and from a housing tier?20 MR. RADUNSKY: Just for a point of  
21 clarification, I know you said that the  
22 PowerPoint was at the jail. I thought he  
23 said it was at the academy. If he said  
24 that there was one too at the jail and ITOOMEY REPORTING  
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1 missed it --

2 MR. MORRISSEY: I'm sorry.

3 MR. RADUNSKY: It doesn't matter,  
4 Tom. I mean, either way is fine.5 Go ahead. George, you can answer  
6 the question.7 MR. MORRISSEY: I'll rephrase the  
8 question.9 MR. RADUNSKY: Okay. It's fine. I  
10 mean, that was the only little caveat. The  
11 rest of it was fine, I think.

12 BY MR. MORRISSEY:

13 Q At the training academy, in regards  
14 to that PowerPoint that you were given, did the  
15 PowerPoint cover providing assistance to  
16 wheelchair detainees being moved from their  
17 housing division to either court or to some  
18 other location in the jail when they're being  
19 moved in the tunnels?20 A It didn't specifically say the  
21 tunnels from what I remember. It was just a  
22 brief, like I said, from what I remember just  
23 an overview of if individuals who are in  
24 wheelchairs needed assistance, we are toTOOMEY REPORTING  
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1 provide the assistance. It never clarified  
2 through tunnels or through like specific areas  
3 of the compound.4 Q To clarify, the PowerPoint that you  
5 were presented at the academy, did it state  
6 that when wheelchair-assisted detainees are  
7 being moved or transported through the tunnels  
8 at the jail or up ramps at the jail, that they  
9 are to be provided assistance?10 A From what I remember, it was if the  
11 assistance is needed and asked, then, yes, we  
12 are there to provide the assistance and help  
13 them.14 Q So at the -- in the PowerPoint at the  
15 training academy, your recollection was that if  
16 a wheelchair-assisted detainee requests  
17 assistance being pushed either in the tunnels  
18 or up a ramp at the Cook County Jail, then the  
19 officer was required to assist the person?20 A Okay. Like, from the PowerPoint in  
21 the academy as far as verbatim, I'm not sure if  
22 it said it specifically, but we were told that  
23 if individuals who needed assistance are being  
24 pushed through -- anywhere through the

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1 compound, we are there to help them.

2 Q My question is more narrow. The  
3 PowerPoint, the training you received at the  
4 academy, was there a requirement at all times  
5 for a correctional officer to push a wheelchair  
6 person being moved through the tunnels at the  
7 jail?8 A I'm not sure if it's, like I said,  
9 verbatim, if it says that we need to  
10 provide -- like ask them if they need  
11 assistance. It was just, you know, if they do  
12 ask, that we need to help them, that we help  
13 them. It's not like it was a clear and cut  
14 this is what you needed to do at all times. It  
15 was, you know, individuals who are in need, you  
16 definitely help them.17 Q So to be clear, the PowerPoint, the  
18 presentation that you were given at the academy  
19 in regards to a wheelchair person being moved  
20 through the tunnels at the jail, the  
21 requirement was if the -- if the detainee  
22 requested to be assisted or pushed, then the  
23 officer should provide assistance. Is that  
24 fair to say?TOOMEY REPORTING  
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1 BY THE WITNESS:

2 A Yes. As I said previously, if an  
3 individual did ask for assistance, regardless  
4 if it's up or down a ramp, we are to help them,  
5 yes.

6 BY MR. MORRISSEY:

7 Q And if the detainee in a wheelchair  
8 doesn't orally request an officer to be pushed  
9 up or down a ramp, then is it your  
10 understanding the officer is not required to  
11 push the person up or down the ramp?

12 MR. RADUNSKY: Asked and answered  
13 again.

14 You can answer, George.

15 BY THE WITNESS:

16 A Correct.

17 BY MR. MORRISSEY:

18 Q Now, after leaving the academy up  
19 until today, would your answers be the same in  
20 regards to the requirement for an officer to  
21 push or assist a wheelchair-bound person in a  
22 tunnel that the inmate first has to request  
23 from the officer assistance to be pushed in a  
24 tunnel?

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1           **A      Yes.**

2       Q      And in regards to going up or down a

3      ramp at the Cook County Jail, is it your

4      understanding since leaving the academy up to

5      the present that it's the responsibility of the

6      wheelchair person to request an officer for

7      assistance going up or down the ramp in order

8      for the officer to be required to provide

9      assistance?

10           **A      Yes.**

11       Q      As a correctional officer, after

12      leaving the academy in, was it, June or July of

13      2022, were you a probationary officer?

14           **A      I'm sorry. What was the question?**

15       MR. RADUNSKY: Yeah, yeah, I think I

16      heard. I know what he's saying, George.

17      Re-ask it, Tom.

18       MR. MORRISSEY: Yeah.

19      BY MR. MORRISSEY:

20       Q      After leaving the training academy,

21      was there a period that you were a probationary

22      officer?

23           **A      Yes.**

24       Q      And what period did that cover?

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A It was -- I think it was a total  
of -- I don't know if it's 16 to 18 months from  
the time the academy started. I think it's --  
yeah, I can't recall if it's 16 to 18 months  
the probation period is.

Q What was your first assignment at the  
Cook County Jail?

A During probation or after probation?

Q During probation.

A Okay. During the FTO short probation  
program, it was various divisions overseeing  
tiers.

Q What divisions did you work in and  
when?

A It was the Division 11, Division 6  
and then RTO.

Q What period of time did you work in  
Division 11?

A Division 11 was maybe three to four  
weeks.

Q That would be in the summer of 2022?

A Yes.

Q Did you function as a tier officer in  
Division 11?

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1           A    **Yes.**  
2           Q    Any other assignments other than  
3   being a tier officer?  
4           A    **In Division 11, no.**  
5           Q    Did you have a field officer in  
6   Division 11?  
7           A    **Yes.**  
8           Q    Who was your field officer?  
9           A    **He was Officer Dworkin.**  
10          Q    Did he remain your field officer in  
11   Division 6 in the RTU?  
12          A    **Division 6, no.**  
13          Q    Who was your field officer in  
14   Division 6?  
15          A    **It was Officer Adeshina (phonetic).**  
16          Q    For what period of time were you in  
17   Division 6?  
18          A    **I'm sure it was just maybe a week.**  
19          Q    And what period -- that would have  
20   been in the summer also of 2022?  
21          A    **Yes.**  
22          Q    And were you a tier officer in that  
23   Division 6?  
24          A    **Yes.**

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1           Q    In the RTU, when did you start in the  
2   RTU?  
3           A    **Possibly late August, early**  
4   **September.**  
5           Q    Of 2022?  
6           A    **Yes.**  
7           Q    And how long did you work in the RTU?  
8           A    **Until I left this -- to September of**  
9   **2023.**  
10          Q    In the RTU, what was your position?  
11          A    **It was still correction officer.**  
12          Q    What were your assignments in the  
13   RTU?  
14          A    **They ranged from tier officer to**  
15   **movement officer, distributing lunch.**  
16          Q    Who was your field officer in the  
17   RTU?  
18          A    **I think it was -- it was still**  
19   **Dworkin, but he was just more -- at that time**  
20   **before we got released just -- we were**  
21   **essentially on our own. He was just like -- it**  
22   **was shadow based.**  
23          Q    Was Officer Dworkin assigned to the  
24   RTU?

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1           A    **He is assigned throughout the**  
2   **compound.**  
3           Q    Did he work with you on a day-to-day  
4   basis in the RTU?  
5           A    **We had daily interactions, yes.**  
6           Q    Since leaving the academy in June of  
7   2022 up to today, have you had any follow-up  
8   training in regards to the ADA?  
9           A    **Throughout the -- your time with the**  
10   **Sheriff's Department, you do get -- they're**  
11   **called like LMS trainings.**  
12          Q    What is that training called?  
13          A    **The -- it's just -- LMS is just like**  
14   **a --**  
15          Q    LMS?  
16          A    **Yes.**  
17          Q    What does LMS stand for?  
18          A    **Actually, I'm not -- I don't know the**  
19   **actual terms. I know it's just our -- it's**  
20   **just like our yearly refresher program to go**  
21   **over certain policies.**  
22          Q    Since leaving the academy at Moraine  
23   Valley in July of 2022 to the present, have you  
24   gone back to the academy for any type of

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1           Page 34  
2           A    **training or refreshment courses?**  
3           A    **Not for corrections.**  
4           Q    Have you gone back to Moraine Valley  
5   for any other position at the Sheriff's Office?  
6           A    **Not to Moraine Valley, no.**  
7           Q    Have you gone to any other  
8   educational or training facility since leaving  
9   Moraine Valley in July of 2022?  
10          A    **I just recently finished the academy**  
11   **for Cook County Sheriff's Police.**  
12          Q    So you're going to -- you're being  
13   trained to be a Sheriff's Police Officer?  
14          A    **Correct. I finished the academy.**  
15          Q    For what period of time did you go to  
16   the police academy?  
17          A    **From the time I left RTU corrections,**  
18   **which it's late August, early September to**  
19   **December 14th was our graduation date.**  
20          Q    December of last year?  
21          A    **Yes.**  
22          Q    Okay. So you've left -- in September  
23   of 2023, you left the correctional department  
24   of the Sheriff. Is that fair to say?  
25          A    **I don't know the exact dates, but**

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1        yes, it was -- I left corrections, like I said,  
2        August, September to begin my new career as a  
3        Cook County Sheriff police officer.

4        Q        Between the time of leaving the  
5        training academy as a correctional officer in  
6        June of 2022 up to the present, up to the time  
7        you left the correctional staff in September of  
8        2023, have you received any formal training in  
9        regards to the ADA?

10      A        No.

11      Q        Between June of 2022 and September of  
12     did you -- were you provided any  
13     PowerPoints in regards to the ADA?

14      A        No.

15      Q        Between June of 2022 and September of  
16     did you receive any training from the ADA  
17     director, Sabrina Canchola Rivero?

18      A        No.

19      Q        Between June of 2022 and September of  
20     did you receive any online training in  
21     regards to the ADA?

22      A        I would have to go through my LMS. I  
23     can't recall if it was specifically for the  
24     ADA.

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1        RTU, right?

2        A        Yes, sir.

3        Q        Did you receive any -- who was your  
4        direct supervisor in the RTU?

5        A        It varies throughout. Daily it  
6        varies. There's just not one supervisor.

7        Q        Would the sergeant be your direct  
8        report?

9        A        Yes.

10      Q        When you came in at roll call --  
11     there would be a roll call when you started  
12     before 3:00 o'clock each afternoon?

13      A        Yes.

14      Q        And at the -- would you have a  
15     particular rotation where you would be assigned  
16     to a particular tier or function as a  
17     correctional officer in the RTU?

18      A        There were certain assignments where  
19     we were put at certain tiers, you know, for a  
20     couple of months; and then it will rotate  
21     yearly.

22      Q        So was there a periodic -- was there  
23     a rotation in regards to your assignments when  
24     you were in the RTU for a set period of time?

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1        Q        Did you receive any training from  
2        June -- to the best of your recollection from  
3        June of 2022 to September of '23 in regards to  
4        moving wheelchair-assisted detainees up or down  
5        a ramp at the Cook County Jail?

6        A        To the best of my knowledge, I don't  
7        believe so.

8        Q        You mentioned that you were a  
9        movement officer in the RTU, correct?

10      A        At times, yes.

11      Q        Which shift did you work when you  
12     were assigned to the RTU?

13      A        My primary shift was 3:00 p.m. to  
14     11:00 p.m.

15      Q        Do you know an officer named Alex  
16     Rodriguez that worked in the RTU?

17      A        I'm not sure if it was -- the first  
18     name, but I do recall knowing an Officer  
19     Rodriguez in RTU. There were quite a few.

20      Q        In the RTU, you started there in what  
21     month in 2022?

22      A        It possibly was late August.

23      Q        And from August of 2022 until  
24     September of 2023, you were assigned to the

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1        A        Yes. My assignments did vary.

2        Q        For what period of time did you work  
3        as a tier officer in the RTU?

4        A        It was from the first time I started  
5        to the end. It -- I was always a tier officer  
6        just given certain assignments.

7        Q        What tiers were you assigned -- when --  
8        was there a particular tier or tiers that you  
9        were assigned to in the RTU?

10      A        All of them with the exception of the  
11     female division.

12      Q        Was there a period of time when you  
13     worked on the third floor of the RTU?

14      A        Yes.

15      Q        Does the third floor house people  
16     that have medical alerts for psych problems?

17      A        A majority of the building was  
18     medical and psych.

19      Q        As a correctional officer, did you  
20     receive specific training to work as a psych  
21     officer?

22      A        We were given, like I said, crisis  
23     intervention and training.

24      Q        Was that the general training you

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1 received at the academy?

2 A It was a general focus for the topic,  
3 yes; but throughout the academy, the  
4 instructors will go through scenarios and  
5 instruct us on how to deal with all the  
6 divisions of certain mental states.

7 Q Are there correctional officers that  
8 are specifically trained to work with patients  
9 that are -- who have mental illness?

10 A Not in -- no. There were not  
11 specific officers. We were all capable of  
12 working certain tiers regardless of our  
13 extensive or nonextensive knowledge.

14 Q Are there certain tiers that men who  
15 have psych -- have been diagnosed with psych  
16 issues are -- let me rephrase the question.  
17 In the RTU on the third floor, are  
18 there dorms?

19 A It's a dorm room setting.

20 Q In addition, there's individual cells  
21 on the third floor, correct?

22 A There are two tiers that do have  
23 cells on the third floor.

24 Q How many tiers on the third floor

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1 have dorms?

2 MR. RADUNSKY: Why is this relevant,  
3 Tom? I mean, you can answer, but I don't  
4 understand how any of this is relevant at  
5 all to what the issues are in the case, but  
6 you can answer.

7 BY THE WITNESS:

8 A On the third floor, there were six  
9 tiers that were all bunk dorm room settings.

10 BY MR. MORRISSEY:

11 Q And you mentioned that there's two  
12 tiers which had cells, correct?

13 A Correct.

14 Q On the third floor, are there tiers  
15 that -- where there's segregation?

16 A Those would be the cell settings.

17 Q Are there cells where people with --  
18 diagnosed with mental illness are housed?

19 MR. RADUNSKY: Objection, relevance.  
20 You can answer.

21 BY THE WITNESS:

22 A Possibly. I didn't know every  
23 individual's medical history.

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1 BY MR. MORRISSEY:  
2 Q You mentioned that at times you would  
3 move officers -- strike that.  
4 At times, you would be considered a  
5 movement officer?  
6 A Yes.  
7 Q Did you receive any special training  
8 as an RTU officer to be a movement officer?  
9 A No, no specific training. Everything  
10 was covered during our FTO program.  
11 Q Can you tell me what you said? S --  
12 I didn't catch the last thing you said.  
13 A It's FTO program, the field training  
14 officer.  
15 Q And you said your field training  
16 officer was Officer Dworkin?  
17 A Yes.  
18 Q Did Officer Dworkin -- can you  
19 explain to me what training you received from  
20 Officer Dworkin to work as a movement officer?  
21 A It wasn't a movement officer  
22 specifically. It was just overall duties of a  
23 correctional officer, and it was just a brief  
24 overview of responsibilities that we may have

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1 and what needs to happen if we are assigned  
2 certain duties.  
3 Q Did Officer Dworkin provide you with  
4 any instruction or training in regards to  
5 moving wheelchair-assisted detainees up and  
6 down ramps at the Cook County Jail?  
7 A No.  
8 Q Did he provide you any instruction in  
9 regards to when or if you were required to push  
10 wheelchair-assisted detainees up or down ramps?  
11 A No. It's just the -- like I said  
12 before, if an individual requested assistance,  
13 you know, we do what we need -- we do what we  
14 can to help them.  
15 Q Are you familiar with the handbook  
16 that's given to detainees upon entering the  
17 Cook County Jail?  
18 MR. RADUNSKY: Are you talking about  
19 the Inmate Handbook?  
20 MR. MORRISSEY: That's correct.  
21 MR. RADUNSKY: Okay. Go ahead,  
22 George.  
23 BY THE WITNESS:  
24 A The Inmate Handbook, yes.

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1 BY MR. MORRISSEY:

2 Q Do you know whether or not the Inmate  
3 Handbook covers the topic that wheelchair-assisted  
4 detainees are required to assist -- let me strike  
5 that.

6 Do you know whether or not the Inmate  
7 Handbook informs detainees who are wheelchair  
8 assisted that they must request assistance from  
9 correctional officers going up or down ramps?

10 A I can't recall what the Inmate  
11 Handbook states.

12 Q What is the job of a movement  
13 officer?

14 A For lack of a better word, it's just  
15 an additional officer that provides assistance  
16 to the overall building as far as if people  
17 need breaks, provide breaks; or if individuals  
18 in custody need to be escorted to certain areas  
19 of the building or the compound, you just --  
20 you do what you can to assist with just any  
21 movement that occurs.

22 Q Do movement officers -- let me  
23 rephrase the question.

24 At roll call when you worked in the

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1 RTU, were you at times designated as the  
2 movement officer?

3 A I did have assignments as a movement  
4 officer, yes.

5 Q How does a movement officer differ  
6 from being a security officer?

7 A I'm not sure of the question. As a  
8 correction officer, we're always -- you know,  
9 we provide security. So it's not like, you  
10 know, you're given a certain task and you don't  
11 do the job and you just don't provide certain  
12 security. That's not how it works. At all  
13 times, we are to provide and make sure that the  
14 area is safe and secure. We are to provide  
15 that assistance, so...

16 Q On the roster, to your knowledge, is  
17 there a designation for the movement officer on  
18 the shift?

19 A There is a certain assignment where,  
20 for a certain period of months, you are  
21 assigned as a movement officer, yes.

22 Q So in the RTU, when you were assigned  
23 there for roughly a year, were there times when  
24 you were designated the movement officer for a

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1 certain period of time, like for a month or two  
2 months?

3 A It varied daily.

4 Q So is it fair to say that you were  
5 never assigned for a one-month period as the  
6 movement officer on the 3:00 to 11:00 shift?

7 A Specifically as a movement officer,  
8 no.

9 Q But on a day-to-day basis, you would  
10 function at times as a movement officer?

11 A Yes, if needed.

12 Q Roughly during that one-year period  
13 in the RTU, how frequently did you work as a  
14 movement officer?

15 A I can't -- I don't know the exact  
16 numbers but it's often.

17 Q More than 50 percent of your time as  
18 an RTU officer, you were a movement officer?

19 A No --

20 MR. RADUNSKY: Objection. Go ahead  
21 you can answer.

22 BY THE WITNESS:

23 A No, I can't -- like I said, I don't  
24 have the numbers, so I wouldn't -- all I know

1 is primarily a tier officer and then I was  
2 given certain assignments as a movement officer  
3 doing lunch. I was never a movement officer  
4 for 50 percent of the time.

5 BY MR. MORRISSEY:

6 Q What percentage of the time as an RTU  
7 officer did you work as a movement officer?

8 MR. RADUNSKY: Objection. He just --  
9 asked and answered, Tom. He said he did it  
10 often. I mean, how many different ways are  
11 you going to ask him the same question? He  
12 said he doesn't know the percentage of  
13 time. He said he did it often, and all you  
14 do is just keep tweaking the question by  
15 asking the same question. So I don't think  
16 it's -- it's asked and answered.

17 MR. MORRISSEY: Troy, will you --

18 MR. RADUNSKY: You can answer,  
19 George.

20 MR. MORRISSEY: I'm sorry. Troy,  
21 will you just stipulate that he was often  
22 the movement officer?

23 MR. RADUNSKY: Yeah, of course.  
24 That's what he said. Of course.

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1 MR. MORRISSEY: Okay.

2 BY MR. MORRISSEY:

3 Q As a movement officer, at times,  
4 would you move detainees from the RTU to the  
5 bridge going to the criminal court building?

6 MR. RADUNSKY: George, do you know  
7 what area he is talking about?

8 THE WITNESS: Yes.

9 MR. RADUNSKY: Okay. You can answer.

10 BY THE WITNESS:

11 A Yes, I have escorted individuals in  
12 custody to the bridge.

13 BY MR. MORRISSEY:

14 Q At times as a movement officer, would  
15 you move detainees from the RTU to the  
16 infirmary at the Cook County Jail to Cermak?

17 A Yes.

18 Q Did you frequently move detainees  
19 from the RTU to the Cermak infirmary when you  
20 were given the job of a movement officer?

21 A Yes.

22 Q When you moved detainees from the RTU  
23 to attend or go to the Cermak building for  
24 medical appointments, how would you receive

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1 notification to move a prisoner?

2 A We would be told certain individuals  
3 needed to go to Cermak for appointments or  
4 whatever the case is. It was -- we were just  
5 like told who needs to go and when do they need  
6 to go; or if somebody had an issue, the tier  
7 officer would request the movement officer to  
8 take the certain individual to Cermak once  
9 medical clears them for them to go.

10 Q Was there a particular post or  
11 officer that would inform you as a movement  
12 officer that a certain detainee should be moved  
13 from the RTU to Cermak?

14 A We would, at times, have a Cermak  
15 officer that would tell us certain individuals  
16 needed to come down for certain things or, like  
17 I said before, if a medical issue happens, we  
18 would be told by the tier officer that somebody  
19 needs to be escorted to Cermak.

20 Q How would you be told, through the  
21 radio?

22 A Yes.

23 MR. RADUNSKY: Objection, foundation.  
24 You could answer. Go ahead.

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1 BY THE WITNESS:

2 A Yes, via the -- our radio.

3 BY MR. MORRISSEY:

4 Q As a movement officer, when you moved  
5 a detainee from, let's say, a dorm on the third  
6 floor or a cell on the third floor to the  
7 Cermak infirmary, did you keep any log or  
8 record? Was there any record that you would  
9 fill out that you moved Prisoner "X" from a  
10 dorm on the third floor to Cermak?

11 A Me personally, no. It would be the  
12 tier officer's responsibility to note that  
13 somebody is going from their tier to Cermak.  
14 As a movement officer, we just move the  
15 individuals.

16 Q So the documentation would be in the  
17 living -- would be in the tier officer's living  
18 unit log --

19 A Yes.

20 Q -- if a person was moved from his or  
21 her tier to Cermak?

22 A Correct.

23 Q When you -- did you at times have to  
24 pick up detainees from Cermak and bring them

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1 back to the RTU building?

2 A Yes.

3 Q How would you receive notification to  
4 pick up a prisoner?

5 A The Cermak officer would radio, any  
6 free movement officer, we have one individual  
7 ready to go back and then we would get the job  
8 done.

9 Q Are there certain floors in the RTU  
10 where wheelchair-assisted detainees are housed?

11 MR. RADUNSKY: Where they are what,  
12 Tom?

13 MR. MORRISSEY: Wheelchair-assisted  
14 detainees are housed.

15 MR. RADUNSKY: Oh, housed.  
16 Go ahead, George. You can answer.

17 BY THE WITNESS:

18 A From what I know, all floors are  
19 capable of housing individuals in wheelchairs.

20 BY MR. MORRISSEY:

21 Q Are there certain floors in the RTU  
22 where prisoners with -- who have alerts for  
23 canes, crutches and walkers are housed?

24 A It's still throughout the entire --

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1 all floors. There is not a specific floor or  
2 tier that houses certain individuals. It's  
3 throughout the entire building.

4 Q Now, at times, did you -- were you  
5 asked to work overtime in the RTU?

6 A Yes.

7 Q And as an RTU officer, did you ever  
8 work the 7:00 to 3:00 shift?

9 A Yes.

10 Q And when you worked -- how frequently  
11 during that one year in the RTU did you work  
12 the 7:00 to 3:00 shift?

13 A It was at times. I don't know how  
14 many times I worked overtime. It was -- I  
15 would at times work 7:00 to 3:00.

16 Q And when you worked 7:00 to 3:00 in  
17 the RTU, at times would you work as a movement  
18 officer?

19 A Yes.

20 Q And on February 18th, 2023 were you  
21 working the 7:00 to 3:00 shift when you moved  
22 Mr. Westmoreland?

23 A Yes.

24 Q On the 7:00 to 3:00 shift when you

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1 worked as a movement officer, would you receive  
2 communications also from either a tier officer  
3 or a Cermak officer to move the detainee from  
4 the RTU to Cermak?

5 A For that specific date, February 18th?

6 Q No, not just that date. I'm talking  
7 about when you worked the 7:00 to 3:00 shift,  
8 would you receive communications as a movement  
9 officer to move detainees either to or from  
10 Cermak?

11 A Yes.

12 MR. MORRISSEY: Give me one moment,  
13 please. I'm going to pull up an exhibit.

14 BY MR. MORRISSEY:

15 Q Officer, I'm going to show you  
16 Exhibit Number 17. Do you see that on the  
17 screen?

18 A Yes.

19 Q And looking at that picture -- I'm  
20 going to play a video for a moment.

21 (Video played.)

22 BY MR. MORRISSEY:

23 Have you had an opportunity to look  
24 at the video which is marked as Plaintiff's

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1 Exhibit Number 17?

2 A The one you've just shown, yes.

3 Q Does that fairly and accurately  
4 depict one of the ramps leading into the RTU  
5 building?

6 A Yes.

7 Q And there's two ramps that lead into  
8 the RTU building, correct?

9 MR. RADUNSKY: My only objection is,  
10 I mean, when you use the word "ramp," he's  
11 not testifying as an ADA expert, so if  
12 you're using it in that term, he's not an  
13 expert in that, like he's already told you.

14 So subject to that, you can  
15 answer.

16 BY MR. MORRISSEY:

17 Q Do you understand my question,  
18 Officer Marin?

19 A I was just going to say that there  
20 are two areas where the floor is at an incline,  
21 yes.

22 Q And can you identify which of the  
23 two -- for purposes of this dep, do you mind if  
24 I use the word ramp? I understand you are not

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1 an expert in the -- you're not an architect;  
2 but if we use the word ramp, would you  
3 understand what I mean?

4 MR. RADUNSKY: I mean, that's fine.  
5 We can use that word, but we're not using  
6 it in the context of ADA or ADA compliance.  
7 I mean, you're using it in the general  
8 sense knowing that that is the intent,  
9 sure, we'll agree to that.

10 George, that's fine.

11 BY MR. MORRISSEY:

12 Q So the question is, do you know --  
13 can you identify which ramp this is that leads  
14 from the -- that leads into the RTU building?

15 A I want to say it's the ramp going to  
16 and from Cermak.

17 MR. RADUNSKY: All right. If you  
18 don't know, George, you don't have to  
19 guess. He doesn't want you to guess. If  
20 you know, you know. All right?

21 BY MR. MORRISSEY:

22 Q For purposes of this deposition,  
23 we'll say it's the ramp going to and from --  
24 going from Cermak into the RTU building; is

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1           that understood?  
2         **A     Yes.**  
3         Q     What, to your knowledge, is the  
4     difference between a ramp -- well, let me  
5     rephrase the question.  
6         As a correction -- as a former --  
7     you're not a correctional officer anymore; is  
8     that fair to say?  
9         **A     Correct, sir.**  
10      Q     What is your official title right  
11     now?  
12      **A     It's Cook County Sheriff Police  
Officer.**  
13      Q     Congratulations.  
14      **A     Thank you.**  
15      Q     As a former correctional officer, can  
16     you tell me your general understanding of the  
17     difference between a ramp and a corridor?  
18      **A     Okay. Just from my understanding, a  
corridor is -- like I would describe it as a  
hallway. And a ramp is a platform with an  
angle.**  
19      Q     Looking at Exhibit 17, is it fair to  
20     say that's the top of the ramp leading from  
21     Cermak toward the RTU building?

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1     Cermak toward the RTU building?  
2         **A     Yes.**  
3         Q     Based upon your recollection in this  
4     photograph, are there any signs posted at the  
5     top of this ramp to advise detainees that they  
6     may request assistance going up or down this  
7     Cermak ramp?  
8         **A     No.**  
9         Q     At the bottom of the Cermak -- at the  
10    bottom of this ramp leading into the RTU, to  
11    your knowledge and recollection, are there any  
12    signs posted that alert a detainee that they  
13    may be pushed up or down the ramp and they have  
14    to request assistance?  
15         **A     No.**  
16         Q     Now, when we looked at the video,  
17     which is Exhibit Number 17, there were two  
18     wheelchair-assisted detainees, correct?  
19         **A     Yes.**  
20         Q     They were both going down the ramp?  
21         **A     Correct.**  
22         Q     Are there times as a movement officer  
23     working in the RTU that you would be asked to  
24     move more than one detainee in a wheelchair

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1     over to the Cermak building?  
2         **A     I wouldn't know the situation unless  
I came about it, like, at that moment.**  
3         Q     Based upon your recollection for over  
4     a year working as a movement officer, at times,  
5     did you move more than one wheelchair-assisted  
6     person either to Cermak or from Cermak back to  
7     the RTU?  
8         MR. RADUNSKY: You're talking about  
9     at the -- I mean, can you just break that  
10    down a little more? When you say moving  
11    more than one at a time, I mean, I know you  
12    are not talking about hours apart. I think  
13    you are talking around generally the same  
14    time, but I just want to be clear.  
15         MR. MORRISSEY: Sure.  
16      BY MR. MORRISSEY:  
17         Q     Just to be clear, at times as a  
18     movement officer in the RTU, were you asked to  
19     move more than one wheelchair-assisted detainee  
20     at the same time over to Cermak for an  
21     appointment?  
22         **A     I can't -- at times I would have  
moved, if needed, an individual in a wheelchair**

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1     to Cermak, yes.  
2         Q     My question is, at times, would you  
3     move more than one wheelchair-assisted detainee  
4     over to Cermak at the same time?  
5         **A     Directly to Cermak, maybe just once;  
but I have escorted individuals that are in  
wheelchairs to Cermak.**  
6         Q     Well, not just Cermak. At times,  
7     would you move more than one wheelchair-assisted  
8     person at the same time to another location in  
9     the jail?  
10         **A     I have, yes.**  
11         Q     And during those period of times when  
12    you were required to move more than one  
13    wheelchair-assisted person to another location  
14    at the jail, were you required to go up either  
15    this ramp that's in Exhibit 17 or another ramp  
16    to get to that location at the jail?  
17         **A     If I was taking those two routes,  
yes.**  
18         Q     As a correctional officer, if you  
19     were moving two wheelchair persons at the same  
20     time and -- could you push both of them at the  
21     same time up the ramp?

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1       **A     No, I wouldn't do that.**

2       **Q     What would you do if you were**  
3       **moving -- let me go back a step.**

4              If you were moving two wheelchair  
5       detainees from the RTU at the same time to  
6       another location at the jail, is it my  
7       understanding from your prior testimony that  
8       unless one or both of the detainees asked to be  
9       pushed, that the detainee would go up -- the  
10       detainees would push themselves up the ramp by  
11       themselves?

12       **A     If they didn't need assistance, I**  
13       **wouldn't push them. And if somebody did**  
14       **request assistance, I would push them. The**  
15       **individuals in custody know where they're**  
16       **going, so they know their, more or less,**  
17       **capabilities. So if they were to say, hey, can**  
18       **you help me? I'm going to need help going up**  
19       **the ramp or both of them at the time when I was**  
20       **picking them up said we're both going to need**  
21       **help going up the ramp, I would just take one**  
22       **at a time.**

23       **Q     Is it fair to say that if you were**  
24       **pushing -- strike that.**

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1              Is it fair to say that if you were  
2       moving -- let me rephrase the question.

3              As a movement officer, if you were  
4       requested to move two wheelchair-assisted  
5       detainees to Cermak and there was a ramp such  
6       as depicted in Exhibit Number 17, unless the  
7       wheelchair-assisted person requested assistance  
8       to be pushed up the ramp, you would allow them  
9       to go up the ramp on their own. Is that fair  
10       to say?

11       **A     If they didn't ask for any**  
12       **assistance, yes, they would go up the ramp on**  
13       **their own, on their own willing.**

14       **Q     To your knowledge, in the Inmate**  
15       **Handbook, is there any information given to**  
16       **wheelchair-assisted detainees that they may be**  
17       **disciplined if they go up a ramp or down a ramp**  
18       **unassisted by a correctional officer?**

19       **MR. RADUNSKY: Tom, you're asking if**  
20       **the detainee would be disciplined for that?**

21       **MR. MORRISSEY: That's correct.**

22       **MR. RADUNSKY: Okay. Go ahead,**  
23       **George. You can answer.**

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1       **BY THE WITNESS:**

2       **A     To my knowledge, no.**

3       **BY MR. MORRISSEY:**

4       **Q     Why not?**

5       **A     I'm not sure how, you know, that**  
6       **person would be disciplined. Like -- so as far**  
7       **as what the Inmate Handbook states, like I**  
8       **said, I don't know it verbatim and I wasn't**  
9       **aware that -- you know, like you said right**  
10       **now, it states that if they aren't pushed up a**  
11       **ramp or if they're not assisted, they could be**  
12       **disciplined. I was not aware of that.**

13       **Q     You mentioned that at times you**  
14       **escorted wheelchair-assisted detainees -- let**  
15       **me ask a preliminary question. As a movement**  
16       **officer moving -- let me ask a foundation**  
17       **question.**

18              As a movement officer in the RTU,  
19       were you ever requested to move a detainee who  
20       was given an alert for a cane or a crutch or a  
21       walker from the RTU to the Cermak infirmary?

22       **A     I have escorted people who needed a**  
23       **cane or a walker to Cermak, yes.**

24       **Q     And was that common as a movement**

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1       **officer in the RTU to move detainees who had**  
2       **alerts for cane, crutches and walkers to the**  
3       **Cermak building?**

4       **A     I'm sorry. What was the question?**

5       **Q     Was it a common occurrence for you as**  
6       **a movement officer to move detainees from the**  
7       **RTU who were using canes or crutches or walkers**  
8       **to the Cermak building?**

9       **A     I wouldn't say it's common, but it**  
10       **does happen that people are moved that are on**  
11       **crutches or in wheel -- canes, you know, from**  
12       **Cermak to RTU. I wouldn't say it's common. It**  
13       **is a medical unit but, you know, everyone has**  
14       **their own issue like as far as disability-wise,**  
15       **so.**

16       **Q     On those days that you worked as a**  
17       **movement officer in the RTU, how often did you**  
18       **move a detainee who had a cane, crutch or**  
19       **walker over to the Cermak building?**

20       **A     At the time it needed to happen.**

21       **Q     And that might happen more than once**  
22       **a week that you would move a detainee from the**  
23       **RTU to the Cermak building who had an alert for**  
24       **a cane, crutch or walker?**

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A Throughout a week, if I was given a certain assignment, yes. It could be zero times escorting people from Cermak to RTU that are in canes or wheelchairs or it could be a couple of times that I'm escorting individuals with the fact that they have a cane or a crutch.

Q In your experience for over a year as a movement officer in the RTU, when you moved a detainee who had a cane, crutch or walker from the RTU to the Cermak building, do you ever recall providing a wheelchair for any of those individuals going up or down either the ramp that's depicted in Exhibit 17 or the ramp that leads to the Cermak building?

A They would already have those devices.

Q Perhaps you don't understand my question. If a person had a cane, crutch or walker and they were -- you were escorting them to the Cermak building from the RTU, do you ever recall providing a person with a cane, walker or crutch a wheelchair to go up or down either the ramp that's depicted in 17 which

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leads from Cermak to the RTU or the ramp that leads to the Cermak building -- or the other ramp that leads to the Cermak building?

MR. RADUNSKY: Just objecting to relevance. I just don't understand what this whole line of questioning has anything to do with his involvement on the date of February 18th.

But you can answer, George.

BY THE WITNESS:

A The individuals that had canes or crutches, they never requested a wheelchair to go up that ramp. They were always more than capable of doing so. My experience is they never personally asked me for a wheelchair.

BY MR. MORRISSEY:

Q Was there any wheelchair that was available either at the top or the bottom of the ramp which we have identified as Exhibit 17 for you to offer to a person with a cane, crutch or walker to go up --

MR. RADUNSKY: Hold on. Just objection. Tom, hold on, hold on. Tom, I don't understand. Your client was in a

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wheelchair. There's no dispute that he was in a wheelchair. I really think that this is all irrelevant. I don't understand why you're asking these questions.

We stipulate that your client was in a wheelchair that day. We stipulated that George is not an expert in ADA compliance. You know, he has a limited role -- or not a limited role but he was present on February 18th and you're just asking him all of these other ADA questions, you know -- or I'm sorry -- ramp questions or wheelchair questions, and I don't understand the relevance.

So can you help me understand the relevance here because I don't want to cut off your questioning and take this to the judge, but I don't understand where you're going.

I mean, if you want to get to a point, then make it, you know. And I don't think you're even listening to me now. I can't hear anything you're saying.

MR. MORRISSEY: Troy, the relevance

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is that Mr. Westmoreland used a cane when he was initially in the RTU going up and down to the ramp.

MR. RADUNSKY: But, Tom, that has nothing to do with George or George's involvement. George's involvement is on February 18th, 2023 in Division 4 and that's it.

I mean, so why are you asking him about all of these other questions when they have nothing to do with his involvement? He wasn't involved in taking your client, you know, on other days or other times. You have never established that. You never said that he did. And now you're like trying to just go off into -- down a rabbit hole, and I'm just asking if we could get to the issues in the case.

If you want to make -- or ask him straight direct questions that cut to the chase, great. But what you're doing here is, like, really wasting his time. I think that it's harassment of the witness, you know.

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1 So I'm just asking you can we  
 2 just move on and talk about the issues that  
 3 he's here to talk about because he's told  
 4 you what the scope of his testimony and his  
 5 knowledge is on ramps, on ADA and --

6 MR. MORRISSEY: Troy, I don't want to  
 7 belabor the point but --

8 MR. RADUNSKY: But you are.

9 MR. MORRISSEY: But he --

10 MR. RADUNSKY: But you just asked  
 him --

11 THE REPORTER: I can only get one  
 person at a time.

12 MR. RADUNSKY: You just asked him,  
 Tom, and you have been asking about all of  
 13 these scenarios where they involve canes or  
 whatever. And on the morning of this  
 14 incident on February 18th, he was in a  
 wheelchair.

15 So now you're asking questions  
 16 about do you have wheelchairs available at  
 different points on the ramp. How is any  
 17 of that relevant to the incident on  
 18 February 18th?

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1 You have already been through  
 2 this stuff with Eric Davis and Sabrina, the  
 3 people that actually have knowledge of this  
 4 stuff, and you're just trying to take  
 5 advantage of a vulnerable witness who  
 6 doesn't know about ADA compliance.

7 So I thought we were just going  
 8 to really spend the time talking about the  
 9 issues on the 18th, but we're an hour and a  
 10 half, almost two hours into this deposition  
 11 and you haven't even hardly discussed that,  
 12 you know.

13 He's told you he's a movement  
 14 officer that day. He's told you, I mean,  
 15 his experience in the ramps and corridors,  
 16 and I don't know why we are not talking  
 17 about the issues that are germane to him,  
 18 Tom.

19 MR. MORRISSEY: The reason why these  
 20 things are probative in deposition is  
 21 because they go to the policies and  
 22 procedures of assisting mobility-disabled  
 23 detainees going up and down ramps.

24 MR. RADUNSKY: But he answered all of

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1 those. He told you what his knowledge was  
 2 and his experience was and the scenarios  
 3 that he's been involved in. And now you're  
 4 parsing his testimony into minutia and  
 5 asking about just, you know, details that  
 6 are not relevant and I don't want to sit  
 7 here and object to all of these questions,  
 8 you know, but I think it's really unfair to  
 9 him, Tom; and I think if we took this to  
 10 Judge Gilbert and we said: Judge, this is  
 11 his involvement. This is what's been  
 12 disclosed in a Rule 26 disclosure, all  
 13 right? This is what we know about this man  
 14 and look at what the first two hours of  
 15 questioning was about, you know? I mean, I  
 16 don't understand why we're not talking  
 17 about the day of the incident. He's  
 18 already given you enough foundation about  
 19 what he knows, I think, about his ADA  
 20 involvement, ramps and everything else.

21 So I'll let you keep going on,  
 22 Tom, but I just think it's really -- it's  
 23 harassing the witness at this point.

24 MR. MORRISSEY: Peggy, can you read

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1 back the least question?

2 THE REPORTER: Yes. It was cut off  
 3 though, Tom.

4 (WHEREUPON, the record  
 5 was read as requested.)

6 BY MR. MORRISSEY:

7 Q Okay. Let me finish the question.  
 8 When you were a movement officer taking  
 9 detainees from the RTU to the Cermak infirmary,  
 10 was there any -- for a person that had an alert  
 11 for a cane, crutch or walker, to your  
 12 recollection, was there any wheelchair that was  
 13 available to you to use and offer to one of  
 14 those detainees to go up or down either the  
 15 ramp that leads into the RTU or the ramp  
 16 that -- the ramp to access the Cermak building?

17 MR. RADUNSKY: Just objection to  
 18 form. It's an incomplete hypothetical. It  
 19 also, I think, lacks foundation. You can  
 20 answer.

21 BY THE WITNESS:

22 A So every floor has a nursing station;  
 23 and if a person who is -- if a person is using  
 24 crutches or a cane disclosed to me that they

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1 can't go up the ramp and that they are going to  
2 need a wheelchair, you know, I would have no  
3 issues going to the nurses' station, letting  
4 them know that I would need to take a  
5 wheelchair because they have wheelchairs  
6 available. I would need to take a wheelchair  
7 to take one individual from Point A to  
8 Point B, and I'll bring it right back.  
9 BY MR. MORRISSEY:  
10 Q So it would have been feasible for  
11 you to provide a wheelchair for a person that  
12 had a cane, crutch or walker to go up or down a  
13 ramp; is that fair to say?  
14 A Leaving RTU, yes.  
15 Q Would it also have been feasible for  
16 you -- let me ask a preliminary question.  
17 To take a prisoner or detainee from  
18 the RTU to the Cermak building, is there a ramp  
19 that one has to transverse to get to the Cermak  
20 building?  
21 MR. RADUNSKY: Asked and answered.  
22 You can answer again.  
23 BY THE WITNESS:  
24 A That ramp is the ramp that heads

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1 towards Cermak.  
2 BY MR. MORRISSEY:  
3 Q But is there another ramp in addition  
4 to what's in Exhibit Number 17 that a person  
5 leaving the RTU to enter the Cermak building  
6 has to go down to enter the Cermak building?  
7 A From what I remember, that is --  
8 primarily from that route is -- that's the main  
9 ramp to and from Cermak.  
10 Q To enter the Cermak building from the  
11 tunnel system, is there a ramp?  
12 A Going from the top of -- you're  
13 talking about from that hallway right there  
14 going into Cermak, is there a ramp?  
15 Q Yes.  
16 A I would say yes, not as long as that  
17 one.  
18 Q And to your knowledge, is there any  
19 signs at the top of the ramp -- how do you  
20 identify that ramp from the hallway or tunnel  
21 to the Cermak building?  
22 A There's no indicators that it's a  
23 ramp. You could just see that there's an  
24 incline.

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1 Q For purposes of this deposition, can  
2 we refer to that as the Cermak ramp?  
3 A This one?  
4 Q No. This one here in Exhibit 17 is  
5 the ramp or the incline that --  
6 MR. RADUNSKY: Is that the east? I  
7 mean, is that the one or the --  
8 MR. MORRISSEY: Yeah.  
9 MR. RADUNSKY: I mean, if he's not  
10 familiar with it, Tom, I don't want to  
11 refer to it as one way or the other. If  
12 you want to show him a picture and ask him  
13 if he can recognize it, that's fine; but I  
14 don't want to put on the record that he's  
15 familiar with something that he's not, and  
16 he seems like he's not entirely.  
17 MR. MORRISSEY: Give me one moment,  
18 Troy, and I will do that.  
19 MR. RADUNSKY: Okay. Tom, do you  
20 have any idea how much longer you are going  
21 to be? I feel like I'm scared to ask that  
22 question.  
23 MR. MORRISSEY: I would say less than  
24 an hour and a half.

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1 MR. RADUNSKY: Really? Okay. That's  
2 good. I appreciate that.  
3 BY THE WITNESS:  
4 A From the picture you were saying,  
5 it's just kind of hard to tell. Like --  
6 MR. RADUNSKY: Well, let's see what  
7 he can put up on the screen and if you  
8 recognize it.  
9 Hold on one second. It looks  
10 like he is working with his IT department.  
11 BY MR. MORRISSEY:  
12 Q Exhibit 17A.  
13 MR. RADUNSKY: Oh, 17A. Okay.  
14 MR. MORRISSEY: And this is a  
15 picture, I think, we shared with you. The  
16 picture is 3885 [sic] --  
17 MR. RADUNSKY: Okay.  
18 MR. MORRISSEY: -- during our  
19 inspection of August of 2023.  
20 BY MR. MORRISSEY:  
21 Q Officer Marin, I'm showing you what  
22 is -- will be marked as Plaintiff's Exhibit 17A.  
23 Can you look at that? Do you see that photograph  
24 on your screen?

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**A Yes, I see it.**

**Q** And does that fairly and accurately represent the ramp or the incline descending from hallway or corridor or tunnel into the Cermak building?

**A It is a hallway that is downstairs in the basement, yes, going into Cermak. I would need to walk through it personally.**

**Q** To your knowledge and recollection, was there a notice or an order that was posted at the top or the bottom of this Cermak ramp to alert the detainees as far as what they must do?

**A No.**

**Q** To your knowledge, was there a notice or order that said: You are not to go up or down any ramps without an officer. You must wait for an officer to escort you. If you need assistance to go up or down the ramp, please request help. If you go up or down the ramp without an officer's escort, it will result in a disciplinary ticket for violating a direct order.

Based upon your memory and

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1 recollection, when you were a movement officer,  
2 did you ever see a sign with that information  
3 either at the top or the bottom of the Cermak  
4 ramp?

**A I don't recall.**

**Q** You mentioned that as a correctional officer and movement officer in the RTU, if a person requested a wheelchair because of a mobility disability to go to the Cermak building, you could access a wheelchair in the doctor's office or nurse's office in the RTU; is that fair to say?

**MR. RADUNSKY:** Did you understand that question, George? I think I do. If you don't -- you can answer.

**Tom, I think you could ask it a little cleaner.**

**MR. MORRISSEY:** All right.**MR. RADUNSKY:** Yeah, clean that up.

**MR. MORRISSEY:** Thanks for the help, Troy.

**MR. RADUNSKY:** Yes, yes, yes. I know what you're saying, but I'm not the witness, so I don't want to tell him. Go

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**ahead.****BY MR. MORRISSEY:**

**Q** You previously testified that if a person with a cane, walker or crutch when you were a movement officer asked for or requested assistance going up either the RTU ramp or the Cermak ramp, you would have gone in the RTU and grabbed a wheelchair from the doctor's office or the nurses' station; is that correct?

**A From the nurses' station, if needed, yes.**

**Q** And that never happened to the best of your recollection as a movement officer?

**A Personally me, no.**

**Q** Do you know if any other officer ever took a wheelchair from the RTU to assist a person with a cane, walker or crutch who was being moved from the RTU to Cermak to assist them?

**A There have been, at times, officers using a nurse's wheelchair to take a person from RTU to Cermak.**

**Q** Is that for a detainee who has an alert for a cane, crutch or walker?

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**A That's for whoever needs assistance being escorted to Cermak.**

**Q** So is that -- generally, to your recollection, was that because there was a medical emergency in the RTU that required a detainee to be moved from the RTU to the Cermak building?

**MR. RADUNSKY:** Objection, foundation. You can answer, George, if you know.

**Speculation.**

**You can answer.**

**BY THE WITNESS:**

**A This -- like I said before, previously, it's requested by the individual.**

**BY MR. MORRISSEY:**

**Q** On February 18th, 2023, you were acting as a movement officer?

**A For which shift?**

**Q** For the 3:00 to -- for the 7:00 to 3:00 shift?

**A Between those hours, I was a movement officer.**

**MR. MORRISSEY:** Give me one moment while I pull up the --

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1 working -- being asked to work on the 7:00 to  
2 3:00 shift that day?

3       **A     Yes, I was working that particular**  
4 **shift that day.**

5       Q     Now, you were provided, I assume,  
6 some videos of the incident of Mr. Westmoreland  
7 falling going up a ramp, a metal ramp, in  
8 Division 4, correct?

9            MR. RADUNSKY: No, I didn't show him  
10 any videos.

11          MR. MORRISSEY: All right. Well, let  
12 me ask him.

13 BY MR. MORRISSEY:

14       Q     Did you see any pictures or films in  
15 preparation for today's deposition?

16       **A     As far as videos from that day, no.**

17       Q     Did you see any pictures from that  
18 day?

19       **A     It was, I believe, just a still shot.**

20       MR. RADUNSKY: Tom, I actually showed  
21 him this exhibit that you're showing him.

22       MR. MORRISSEY: All right. Thank  
23 you.

24       MR. RADUNSKY: That's it. That's all

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he's seen.

MR. MORRISSEY: Okay.

MR. RADUNSKY: And I don't think that that's -- and I don't know. I could be wrong. That was taken by your expert. I was going to say I don't think that's from the day of the accident and that you blew that up. I don't know, but I think that's one of your expert's pictures, right?

BY MR. MORRISSEY:

Q Showing you Exhibit Number 47, is this one of the photographs you looked at in preparing for today's deposition?

A No.

Q Did you see a similar photograph depicting a metal ramp in Division 4 in preparing for today's deposition?

A I was shown a photo of that area. As far as that exact photo, that particular photo, no.

Q And you previously testified that you reviewed an e-mail that you provided to Ms. Sabrina Canchola Rivera in regards to the incident on February 18th, 2023, correct?

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1           **A      Yes.**

2       Q      Any other documents that you reviewed  
3      in preparing for today's date -- today's dep,  
4      in preparing for today's deposition?

5           **A      No.**

6       Q      Prior to looking at the e-mail you  
7      sent to Ms. Canchola on March 9th, 2023, did  
8      you have any recollection of working on  
9      February 18, 2023?

10         MR. RADUNSKY: Asked and answered.  
11         He just answered that a couple of minutes  
12         ago.  
13                  You can answer again.  
14         BY THE WITNESS:  
15                  **A      Yes. I do remember various moments  
16         that day.**  
17         BY MR. MORRISSEY:  
18       Q      Did reviewing Ms. -- the e-mail that  
19      you sent to Ms. Rivero refresh your memory in  
20      regards to specifically Mr. Westmoreland  
21      falling on a ramp inside Division 4?  
22                  **A      Yes.**  
23       Q      Prior to looking at your e-mail to  
24      Ms. Rivero-Canchola on March 9th, 2023, did you

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1 have any personal recollection of his falling?  
 2 MR. RADUNSKY: He just answered that  
 3 three times. Three times. You can answer  
 4 it again, George, for the fourth time.  
 5 BY THE WITNESS:  
 6 A Like I said, the e-mail was like a  
 7 basis of a refresher. But still it's just  
 8 various moments for that date.  
 9 BY MR. MORRISSEY:  
 10 Q What do you recall in regards to  
 11 working as -- were you working as a movement  
 12 officer on the 7:00 to 3:00 shift on  
 13 February 18th, 2023?  
 14 A So for that particular -- for  
 15 February 18th, for that particular day and  
 16 shift, I was a movement officer to escort  
 17 individuals in custody, detainees, I'm not sure  
 18 how you want to reference them, from RTU to  
 19 Division 4 for voting.  
 20 Q Were you the only officer in the RTU  
 21 that day that was moving detainees to Division 4  
 22 to vote?  
 23 A No. I believe there was a group.  
 24 There was a group of us.

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1 Page 86  
 2 MR. MORRISSEY: Sure.  
 3 MR. RADUNSKY: Do you mean did he put  
 4 his hands -- okay. Go ahead.  
 5 MR. MORRISSEY: Let me rephrase it.  
 6 MR. RADUNSKY: Yeah, please. Thanks.  
 7 BY MR. MORRISSEY:  
 8 Q Were you the escort officer for  
 9 Mr. Westmoreland on February 18, 2023 from the  
 10 RTU to go over to Division 4 to vote?  
 11 A I did escort the group that  
 12 Mr. Westmoreland was in to and from.  
 13 Q How many detainees -- do you recall  
 14 what time of the day that you escorted  
 15 Mr. Westmoreland and other detainees to  
 16 Division 4 to vote?  
 17 A It was afternoon.  
 18 Q Do you recall whether there was any  
 19 other officers with you when you escorted  
 20 Mr. Westmoreland and other detainees from the  
 21 RTU to Division 4 that day?  
 22 A Like I said, there was a group of us  
 23 that were constantly moving detainees from RTU  
 24 to Division 4. There was a group of us.  
 Q Were you responsible for a certain

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 2 Q And were you assigned specifically to  
 3 move wheelchair detainees from the RTU to  
 4 Division 4 to vote?  
 5 A No. It wasn't a specific task.  
 6 Q How many times during that day did  
 7 you move detainees from the RTU to Division 4  
 8 to vote?  
 9 A It was numerous times, multiple  
 10 times.  
 11 Q Did you follow the same -- was there  
 12 any supervisor that accompanied you when you  
 13 picked up detainees from the RTU on February 18th,  
 14 2023 and moved them to the voting area in  
 15 Division 4?  
 16 A For certain high risk individuals, we  
 17 did have supervisor presence with us.  
 18 Q Do you recall whether or not on  
 19 September -- I'm sorry -- February 18th, 2023,  
 20 whether or not you actually were the officer  
 21 that moved Mr. Westmoreland to Division 4 to  
 22 vote?  
 23 MR. RADUNSKY: Tom, when you say  
 24 actually moved, can you just clarify what  
 you're saying?

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 2 number of detainees being moved from the RTU to  
 3 Division 4?  
 4 A Not a specific amount.  
 5 Q How many detainees were with you that  
 6 afternoon when you moved Mr. Westmoreland to  
 7 Division 4?  
 8 A In that group alone, it was eight.  
 9 Q Mr. Westmoreland was in the  
 10 wheelchair that day, correct?  
 11 A Yes.  
 12 Q Were there any other -- the other  
 13 seven detainees that were being moved on  
 14 February 18 to Division 4 to vote, were any of  
 15 the other detainees in a wheelchair?  
 16 A Along with Mr. Westmoreland, there  
 17 were three additional detainees.  
 18 Q We previously looked at the depiction  
 19 of the ramp which was in Exhibit 17, do you  
 20 recall, in your deposition?  
 21 A Yes.  
 22 Q In order to get to Division 4 from  
 23 the RTU, was it -- was that the course of  
 24 travel that you took? Did you have to bring  
 the eight detainees up that ramp?

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**A That ramp, no.**

Q Tell me the path of travel from the RTU that afternoon with three wheelchair detainees in addition to Mr. Westmoreland and four other prisoners that you took going from the RTU to Division 4?

MR. RADUNSKY: I'm sorry. I was looking away. What are we talking about, the route from RTU to Division 4?

MR. MORRISSEY: That's correct.

MR. RADUNSKY: Okay. Sorry. George, go ahead. I didn't mean to interrupt.

BY THE WITNESS:

**A So leaving -- gathering the group of detainees, we all took an elevator down to what is considered the basement. After the basement, we made a right, went through multiple doors to take that route to Division 4.**

BY MR. MORRISSEY:

Q Was there any incline when you got down -- let me ask a preliminary question.

What floor was Mr. Westmoreland housed on in the RTU?

**A The third floor.**

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Q And you said you took an elevator to the lower level of the RTU; is that fair to say?

**A Yes.**

Q Are there two inclines or ramps that are at the basement of the RTU?

**A For that route itself?**

Q Yes.

**A We did go up a slight ramp.**

Q And that would -- if you exited the doors for the RTU, would that have been the incline on the left?

MR. RADUNSKY: Are we in the basement, Tom?

MR. MORRISSEY: We're in the basement of the RTU.

MR. RADUNSKY: Go ahead, George.

BY THE WITNESS:

**A Yeah, no, it's -- once you get off the elevators, you would make a right. So you would go -- you would just take a path on your right hand -- like, once you leave, make a right, take that path through multiple doors and then you would enter an area that is like**

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**going to discharging and laundry, like that area. There's a, I think, a small slight ramp.**

BY MR. MORRISSEY:

Q And from -- I'm showing you the Exhibit Number 17.

At the bottom of Exhibit Number 17 are doors leading to the RTU basement; is that fair to say?

**A There are multiple doors.**

Q And leading to the RTU building, the basement of the RTU?

**A In the elevator entrance, yes.**

Q So if you are at the bottom of this Exhibit 17 ramp, which I think Troy identifies as the east ramp, if you're coming out of the basement of the RTU, is the incline that you're talking about on the left as far as your course of travel on February 18th?

**A So the entrance that we're talking about is on the opposite end. So it would be further right, extremely further right.**

Q But there's an incline when you exited the RTU basement that day to get into the main hallway or tunnel of the jail,

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1 correct?

**A There is a path that has an incline, yes.**

Q And just for purposes of this deposition, when you exit the basement of the RTU, in order to get into the tunnel system, you either take one or two paths of travel up inclines, one of which is depicted in Exhibit 17 and the other is the incline that you took that day, correct, on February 18th?

**A Yes, leaving RTU there are paths that have slight ramps.**

Q There's two, correct?

**A There are -- well, yes, there are two ramps from either side, left or right.**

Q So you took -- you didn't take the ramp which is depicted in Exhibit 17. You took the other ramp with the eight detainees leaving the RTU to go to Division 4 to vote on February 18th, 2023, correct?

**A Yes.**

Q To your recollection, did you push Mr. Westmoreland up that other incline?

**A That particular day or just overall?**

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1 Q No, that day.  
2 A That day, no.  
3 Q Did you push any of the other three  
4 people up that incline?  
5 A No.  
6 Q Why not?  
7 A There wasn't a need to push the  
8 individuals that were in wheelchairs. They  
9 already had -- there were already detainees  
10 pushing them.  
11 Q Why were there detainees pushing the  
12 inmates in wheelchairs up that incline from the  
13 RTU?  
14 A I'm not sure. It wasn't like it  
15 was -- there was any specific plans or orders.  
16 It was we were given a voting list, and the  
17 individuals that wanted to vote next wanted to  
18 come. The people who were in wheelchairs  
19 already had people that were going to push  
20 them, so it would be a small group that were  
21 leaving at once rather than one person leaving  
22 one at a time. It was -- when I already got to  
23 the tier, the four individuals that were in  
24 wheelchairs already had the people that were

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1 going to push them.  
2 Q Do you recall Mr. Westmoreland asking  
3 you to be pushed by an inmate up that incline  
4 from the RTU?  
5 A No. It was to -- they already had --  
6 like I said before, they already had a group  
7 that was going to push them.  
8 Q Do you know if there's a requirement  
9 of inmates to push people in wheelchairs up and  
10 down inclines?  
11 A No. There's -- it's not like it's  
12 stated in policy that a detainee can't push  
13 another detainee.  
14 Q Is there any type of order that you  
15 can give an inmate to push a person up or down  
16 a ramp or an incline?  
17 A No, I --  
18 MR. RADUNSKY: Just object to form.  
19 That's okay. You can answer. Go ahead,  
20 George. Go ahead. You can answer.  
21 BY THE WITNESS:  
22 A No, I can't force a detainee to push  
23 someone else.

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1 BY MR. MORRISSEY:  
2 Q So based upon your knowledge as a  
3 correctional officer, you can't order an  
4 able-body detainee to push a person in a  
5 wheelchair up or down a ramp?  
6 A Another officer, I could ask for  
7 assistance and have them push the person in a  
8 wheelchair, yes. But another detainee, no, I  
9 can't order another detainee to push another  
10 person.  
11 Q Why not?  
12 A Why can't I have somebody -- like why  
13 can't I order a detainee to push another  
14 detainee?  
15 Q Correct.  
16 A It's not my job to, you know, enforce  
17 one detainee to, like, help out another  
18 individual. You know, because they could  
19 refuse at any time. Then, you know, it's not  
20 like I could enforce any discipline if they did  
21 refuse, no. There's -- I don't have that  
22 authority to force individuals to do something,  
23 that, you know, they're -- they don't have to  
24 do. Like I said, if it was another officer,

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1 yes, I could tell the officer, hey, help me.  
2 We are going to, you know, push individuals  
3 that are in wheelchairs; but I can't tell a  
4 detainee to do it because they could ultimately  
5 refuse.  
6 Q After you went up that incline from  
7 the RTU on February 18, tell me the course of  
8 travel that you took to get to Division 4.  
9 A It's just a long path of walking  
10 through, you know, different long tunnels.  
11 Just different long halls to different --  
12 because you are going through different  
13 buildings in the basement. So you are going to  
14 pass, you know, discharges, Division 5. You  
15 know, you're underneath the basement, so it's  
16 just a long walk from one area to another.  
17 Q How did you enter Division 4 that day  
18 for the inmates to -- when you were moving the  
19 eight inmates, four who were in wheelchairs?  
20 How did you gain entrance to Division 4?  
21 A It was through an elevator.  
22 Q Showing you what has been marked as  
23 Exhibit Number 47, do you recognize that  
24 location?

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**A Yes.**

Q Is that a fair and accurate depiction of the stairway and ramp to enter into the -- it looks like the basement of Division 4?

**A That's the first floor of Division 4.**

Q Is it a fair and accurate photograph of the first floor of Division 4?

**A Yes.**

Q From the RTU building, was there another path of travel available to you to gain access to the first floor of Division 4 that you could have taken?

**A Coming from like the outside, yes.**

Q How would you have taken Mr. Westmoreland and the other three wheelchair-bound detainees to Division 4 from the RTU by the other path of travel?

**A So going from RTU from the third floor to now, this time, the first floor, making a right and then exiting through that area and using the garage doors, having them, you know, open the garage doors so we could then walk through the, you know, pathway to the gym in Division 4.**

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Q Did the ADA director, Ms. Canchola Riverro instruct you in regards to a path of travel that day for all the disabled prisoners housed in the RTU to vote?

**A No.**

Q Did any supervisor for the Sheriff's Office advise you in regards to a path of travel that would avoid going up or down this ramp in Division 4 to vote?

**A I don't recall a specific supervisor giving me those orders. I just know we took the tunnels because weather permitting.**

Q Now, you mentioned that from the tunnel area you had to go down an elevator to get to this area where -- located in Division 4, correct?

**A Yes.**

Q And you were able to put all eight detainees in the same elevator and descend from the tunnel down to this area so you could enter Division 4?

**A So for Division 4, no.**

Q How many detainees were you able to put in the elevator at any one time to get down

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1 to the entrance to Division 4?

**A Detainees, all that are not in wheelchairs, maybe around eight. Individuals that -- you know, wheelchair assistance, along with someone else, regardless of its a detainee or not, a total of four.**

Q Was there another officer with you?

**A Escorting them, no, it was just myself.**

Q So you had to leave some inmates unescorted while some of the inmates went down the elevator to get -- to gain access to Division 4?

**A No. There was a Division 4 officer that gave us access to where you see the door entry right there, they were right there waiting for the two -- or the total of four to come up.**

Q But you had to go down an elevator from the tunnel to get to -- in the -- let me rephrase the question.

In Exhibit 47, there's a metal ramp, correct?

**A That ramp right there.**TOOMEY REPORTING  
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**Q Yes.**

MR. RADUNSKY: Yeah, that's Exhibit 47, George.

BY THE WITNESS:

**A Yes. That ramp right there is in Division 4.**

BY MR. MORRISSEY:

Q And there's no handrails on -- for most of that metal ramp, correct?

**A On the right -- no, on the right side it appears -- or, you know, looking at it on the left side, there isn't any handrails.**

Q And it's a steep metal ramp, correct? You would agree?

MR. RADUNSKY: Just object to the form -- or to the term "steep."

You can answer, George.

BY THE WITNESS:

**A Yeah, I think that's more of a subjective question because, to you, it might be steep. To me, it's just a slight angle.**

BY MR. MORRISSEY:

Q But to the left of the ramp, there are about six or seven steps to descend,

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1           correct?

2           **A      Yes.**

3           Q      And the ramp covers part of those

4           seven steps, correct?

5           **A      It does.**

6           Q      And at the top of the ramp, there's a

7           doorway?

8           **A      Correct.**

9           Q      And if you open that doorway, does

10          that gain entrance to the area, the vestibule

11          where the elevator is located?

12          **A      Yes. It does allow you to go into**

13          **another vestibule for elevator access.**

14          Q      And you're saying that there is an

15          officer that's stationed in that vestibule at

16          the entrance to Division 4 where the wheelchair

17          people were staged periodically before voting?

18          **A      I wouldn't say specifically he's**

19          **there, stationed there specifically. I just**

20          **know that I did need an officer at that area**

21          **because those doors are locked. You need keys**

22          **to enter. So he needed to assist me gathering**

23          **all of the detainees and still allowing us all**

24          **through those doors.**

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Q So to open that door at the top of Photograph Number 47, Exhibit Number 47, required an officer to open the door. It's a locked door?

A **Correct. It's a locked door.**

Q Okay. Now, did you gather all eight detainees in that vestibule after they descended down to the vestibule before proceeding down that ramp for those individuals to vote?

A **Yes, all of them I was -- I gathered all eight detainees before we continued on.**

Q To your knowledge, was one of the detainees rather overweight?

MR. RADUNSKY: Object to form.

BY MR. MORRISSEY:

Q Did one detainee to your recollection have to be brought down backwards because he appeared to be over 300 pounds?

A **There was an individual that was slightly larger than myself, yes, in a wheelchair.**

Q To your recollection -- you don't seem to be -- you seem to be a relatively fit

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1 correctional officer actually.  
2 MR. RADUNSKY: You're not 300 pounds.  
3 We're not stipulating to that. Go ahead.  
4 BY MR. MORRISSEY:  
5 Q Are you stipulating that you are in  
6 pretty good shape?  
7 MR. RADUNSKY: Yeah, exactly. Right.  
8 MR. MORRISSEY: That's what I  
9 thought.  
10 MR. RADUNSKY: Yeah.  
11 BY MR. MORRISSEY:  
12 Q To your recollection, did the  
13 heavier-set wheelchair person have to get out  
14 of his wheelchair and walk down the ramp?  
15 A At that moment, I don't recall.  
16 Q Let me show you Exhibit 18. Showing  
17 you a video marked as Exhibit 18. I'm going to  
18 stop the Video Number 18 at that point.  
19 Do you see yourself in that video at  
20 this point?  
21 A No.  
22 Q Does that refresh your memory that an  
23 overweight detainee got out of his or her --  
24 his wheelchair and walked down the steps and --

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1       A     **Yes, it does appear so.**  
2       Q     Where were you at this point if you  
3 recall?  
4       A     **I would still be at the other  
5 entrance where the other remaining four  
6 detainees were at.**  
7       Q     So you would be inside the vestibule  
8 while the -- at the time that this overweight  
9 detainee got out of his chair and walked down  
10 the steps to avoid going down the ramp?  
11      MR. RADUNSKY: Just object to the  
12 characterization of "overweight," but you  
13 can answer, George.  
14 BY THE WITNESS:  
15      A     **Yeah, I wouldn't say I was still in  
16 the vestibule. I'm sure I was in that area  
17 where the stairs and the ramp were.**  
18 BY MR. MORRISSEY:  
19      Q     Do you have any recollection of when  
20 you left the RTU with the four wheelchair-assisted  
21 detainees and the four able-body detainees,  
22 whether or not there was any difficulty in  
23 moving this overweight detainee up the incline  
24 from the RTU to get into the tunnel hallway?

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A No.

Q You don't recall?

A No, I don't recall.

Q I'm going to continue the video. I'm going to stop it for a moment.

Are you the gentleman that's on the left-hand side where the arrow is pointed?

A Yes.

Q Do you know where Mr. Westmoreland -- is Mr. Westmoreland depicted in this picture?

A He is not the first individual in the wheelchair. No, he is not.

Q Prior to February 18, 2023, do you recall having any contact with Mr. Westmoreland?

A Just brief, you know, interactions if I was to work that tier.

Q Did you work -- prior to February 18, 2023, had you worked in a tier where Mr. Westmoreland was housed?

A Yes.

Q For how long a period?

A The duration of my shift, the eight hours; or if I was assigned there, it would be just for the eight hours unless I stayed for

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overtime.

Q Was that on more than one day that you were the tier officer for Mr. Westmoreland?

A Yes.

Q To your recollection, was -- in your interaction as the tier officer for Mr. Westmoreland, was he always respectful to you?

A Yes. We were both respectful to one another.

Q Did it appear that he was very compliant with any requests or orders that you gave him as his tier officer?

A He was, yes.

Q How would you describe Mr. Westmoreland's conduct when you were his tier officer?

A I would say normal. It wasn't any negative interactions he and I had.

Q Do you know from talking to other officers whether that was the same, that Mr. Westmoreland generally got along with the correctional staff?

A I'm not sure how other staff members

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helped him out.

Q But he was never disrespectful to you as an officer, correct?

A To me personally, no.

Q Did you ever engage him when you were the tier officer or did he engage you in conversation?

A If needed, yes, we would talk to one another but I can't recall a specific situation where I had a full-blown conversation with him.

Q Did you know that he was a music instructor in the outside world?

A No. As far as anything personally regarding Mr. Westmoreland, no.

Q What were you doing as you were walking down the hallway here in the basement of division -- or on the first floor of Division 4?

A Walking, gathering the inmates so they could go vote, making sure they had all of their IDs and paperwork.

Q Were any of the officers that are depicted in division -- in Photograph Number 18, do you recognize any of those officers as being

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from the RTU?

A No.

Q Do you know the names of any of the officers? For instance, the first gentleman in Exhibit Number 18 at 2:31 in the video, do you recognize the gentleman who is -- the white gentleman with the white mask?

A I don't know his name, but I have seen him in RTU.

Q So you would say that he was an RTU officer on February 18th?

A I would say possibly. It depends. I would need to know his name to see if he was an RTU officer or not.

Q Do you know the name of the woman that's standing to his right at 2 minutes and 31 seconds in Exhibit 18?

A No.

Q How about the gentleman directly to his left, the African American gentleman that looks like he's holding a bottle?

A No.

Q To your knowledge, was he an RTU officer also?

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A To my knowledge, the only RTU officer who I did see around was the first officer that you pointed out.

Q We'll continue the video from Exhibit 18.

Do you know if Mr. Westmoreland was the last gentleman that we saw in the video in Exhibit 18 at approximately 2 minutes and 51 seconds?

A No, I don't recall if that was Mr. Westmoreland or not.

Q We're going to turn to now Exhibit Number 19.

MR. RADUNSKY: Guys, can we take a quick break just because I have to go to the bathroom?

MR. MORRISSEY: Sure.

MR. RADUNSKY: Can we come back at 12:45 just because I've got to run down the hall; is that okay?

MR. MORRISSEY: Sure. Go ahead.

MR. RADUNSKY: All right. George, I'm running to the bathroom. Turn off the video and all of that stuff.

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(WHEREUPON, a short break was had.)

BY MR. MORRISSEY:

Q To your knowledge that day, were any of the -- well, let me ask a preliminary question.

We just looked at Exhibit 18 for three wheelchair-assisted detainees going down to that ramp to enter Division 4's first floor, correct?

A At that moment, yes. There were four individuals that were in wheelchairs coming down that ramp.

Q Did you give any instructions to the detainees pushing them down the ramp as far as how they were to navigate that steep ramp?

A It wasn't, like, just an actual order. It was -- you know, I did let them know that they had to, you know, take their time going down the ramp. I didn't want them to go too fast down the ramp, you know, just for simple just, you know, safety issues. It's -- it's just at the ramp going down, you know, when you're going downhill, obviously you go

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down faster. So I just -- you know, I did let them know that it is obviously one at a time, and they should take their time going down.

Q Could one of the wheelchair detainees in your opinion gone down the ramp without any assistance?

A That's up to that person individually.

Q Was there any warning sign that you saw on that ramp for wheelchair people to be cautious going up or down the ramp?

A Not that I recall.

Q Was there any signage up saying that if you're in a wheelchair, you should request assistance from an officer to go up or down that ramp?

A Not that I recall.

Q As an officer, were you required or ordered to provide assistance to a wheelchair person going up or down that ramp to enter Division 4?

MR. RADUNSKY: Asked and answered multiple times.

You can answer, George. Go ahead.

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BY THE WITNESS:

A Like I have said previously, if the detainee wanted assistance or he wanted me to push them up and down certain ramps, I would.

BY MR. MORRISSEY:

Q Do you know if any officer has ever been disciplined specifically in regards to this metal ramp in the first floor of Division 4 not providing assistance for a detainee in a wheelchair going up or down the ramp?

A Not to my knowledge.

Q To your knowledge, has any correctional officer during the time you were a correctional officer at the jail ever been reprimanded or disciplined by a sergeant or a supervisor for not assisting a wheelchair person going up or down a ramp at the Cook County Jail?

A Not that I recall.

Q To your knowledge, was there any requirement of a correctional officer to document if a detainee was not assisted going up or down a ramp at the Cook County Jail?

A The only documentation we would do

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1       are just overall refusals. We wouldn't  
2       document if a detainee refused our assistance.

3       Q      Did you offer any assistance to  
4       Mr. Westmoreland going up or down this ramp to  
5       enter the first floor of Division 4?

6       A      There was no need for me to offer any  
7       assistance because he already had somebody  
8       pushing him.

9       Q      Had you ever documented as a movement  
10      officer when a wheelchair -- let me ask a  
11      preliminary question.

12      To your knowledge, when you moved  
13      detainees in wheelchairs as a movement officer  
14      up and down ramps at the Cook County Jail, to  
15      your knowledge, did any wheelchair person ever  
16      refuse your assistance to go up or down a ramp?

17      A      I've had detainees just overall  
18      refuse me just to push them or assist them. It  
19      was never documented.

20      Q      Were you required -- you say -- let  
21      me go back a step.

22      Specifically, do you have any  
23      recollection of any wheelchair-assisted person  
24      refusing your assistance going up or down a

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1       ramp?

2       A      Going up or down a ramp, no.

3       Q      You mentioned that there were times  
4       when a wheelchair-assisted detainee refused  
5       your assistance in a wheelchair, correct?

6       A      Yes.

7       Q      Can you tell me about those  
8       occasions?

9       A      I can't remember the specific, like,  
10      detainee's name, but there have been times  
11      where I had been movement officer and I would  
12      get their ID and just let them know, hey,  
13      you're going to the dispensary or you're going  
14      to get an x-ray done at Cermak, and I'll start  
15      pushing them and they'll say, hey, no, I'm good  
16      or if -- same scenario but I'm like when I grab  
17      their ID and I'll say, hey, do you need me to  
18      push you, they're like, no, I'm good.

19      There's been times where they're good  
20      pushing themselves throughout, you know, the  
21      compound or the division; but if they, for some  
22      reason, needed help going up certain ramps and  
23      said, hey, you know, can you push me, I would  
24      be more than happy to help them. But there

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1       have been times where if I was escorting a  
2       certain detainee, they wouldn't want any  
3       assistance from me; and if they got to a  
4       certain point where -- a couple of occasions  
5       where they did just get tired more or less, you  
6       know, pushing themselves, I would go ahead and  
7       push them.

8       Q      In the hallways or tunnels or  
9       corridors when a detainee refused your  
10      assistance to push them, would you document in  
11      the Sheriff's log that they didn't want  
12      assistance?

13      A      I wouldn't document --

14      MR. RADUNSKY: Answer the question.

15      In that hypothetical, Tom, are  
16      you assuming that nobody -- like he asked  
17      an inmate if he wants to be pushed, an  
18      inmate says no and then somebody else may  
19      end up doing it, not George? Are you  
20      saying that or are you saying no other  
21      officer asked him -- asked that detainee to  
22      be pushed, and it's just George that was  
23      asked?

24      MR. MORRISSEY: Let me rephrase.

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1       MR. RADUNSKY: Yeah, there's a lot --  
2       yeah, because I just don't understand.

3       BY MR. MORRISSEY:

4       Q      On those few occasions when you  
5       offered to push a wheelchair person in a  
6       hallway or tunnel or corridor at the Cook  
7       County Jail and that person said no or  
8       declined, did you document that in any log?

9       A      No, I did not document it. I would  
10      only document if they refused to go to certain  
11      locations.

12      Q      To your knowledge, where would you --  
13      in that scenario where you were pushing a  
14      detainee in a hallway, corridor or tunnel and  
15      you offered assistance to the wheelchair person  
16      to push them, where would you document it based  
17      upon your knowledge? What procedure would  
18      there be for you to document it?

19      A      To my knowledge, there isn't a log of  
20      approvals or refusals pushing individuals in  
21      wheelchairs.

22      Q      Who would you contact in a situation  
23      where a detainee refused your offer to push  
24      them in a hallway tunnel at the Cook County

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1 Jail?

2 A You said who would I notify if they  
3 refused?

4 Q Right.

5 A No one.

6 Q Was there ever a time when you were a  
7 movement officer in the RTU where you offered  
8 to push a detainee up a ramp and they refused?

9 A I'm sorry. I'm trying to -- what was  
10 the question?

11 Q My question, when you were a movement  
12 officer as a correctional officer moving a  
13 person up or down a ramp at the Cook County  
14 Jail, was there ever a time you offered to push  
15 the wheelchair person up the ramp when they  
16 refused?

17 MR. RADUNSKY: I think he just

18 answered that, but you can answer again,  
19 George.

20 BY THE WITNESS:

21 A There would be times where I would  
22 ask if they needed to be pushed or I would take  
23 it upon myself to just push them, you know, to  
24 help them, and they would tell me personally,

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1 like if we're going to Cermak up the ramp, no,  
2 I don't need any help or, yes, I do need help.  
3 Like, they would tell me that they do need help  
4 or that they don't at that time. And then if,  
5 you know, we're just going to Cermak, I would  
6 just let it be known to the Cermak officer,  
7 like, you know, hey, you know, he came -- just  
8 because sometimes the Cermak officer will bring  
9 them on his own or he would radio if he was too  
10 busy. I would just tell the Cermak officer  
11 like, hey, he refused or he didn't want my  
12 help, you know, coming back. Maybe he'll take  
13 your help. You know, just so he's aware that,  
14 you know, at that time that he didn't need  
15 assistance. But like I said, it will be at  
16 random times where an inmate will, you know  
17 refuse my help from -- initially pushing them  
18 or going up the ramp. They will say, no,  
19 they're more than capable.

20 Q On those occasions when you offered a  
21 detainee to -- in a wheelchair to go up or down  
22 a ramp and the detainee was wheelchair  
23 assisted, did you ever document the refusal of  
24 your offer to push them up or down a ramp?

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1 MR. RADUNSKY: It's been asked and  
2 answered multiple times. You can answer it  
3 again, George, for the last time.

4 BY THE WITNESS:

5 A Again, no. There was no  
6 documentation. There was no log of approvals  
7 or refusals pushing somebody in a wheelchair.  
8 Like I said, I would just go ahead and just  
9 give the Cermak officer a heads up that I did  
10 help him or I didn't help him just so he's  
11 aware when he brings him back he knows, you  
12 know, how to deal with the inmate or the  
13 detainee because some of them get extremely  
14 offended if you do try to assist them.

15 BY MR. MORRISSEY:

16 Q Turning to Exhibit Number 19 now, I'm  
17 going to play a video which is depicted in  
18 number -- Exhibit 19.

19 (Video played.)

20 BY MR. MORRISSEY:

21 Q I'm going to stop it at .37 seconds.  
22 Have you seen yourself in that video so far?

23 A I was with the group going towards  
24 the stairs.

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1 Q Let's go -- can I go back so you can  
2 point yourself out?

3 A Yes.

4 Q Thanks. I'm going to start it over  
5 again. I'm going to try to go backwards and  
6 play it and tell me -- I'm going to play it.  
7 Tell me when you appear in the video. Let me  
8 run it back.

9 (Video played.)

10 BY THE WITNESS:

11 A Yeah, the officer waving the  
12 detainees to come down, that does appear to be  
13 me.

14 BY MR. MORRISSEY:

15 Q So are you the -- I have the cursor  
16 on the first officer. Is that you?

17 A Yes, that does appear to be me.

18 Q So at 12 seconds in the video  
19 depicted in Exhibit 19, you're the officer  
20 depicted -- the first officer walking toward  
21 the ramp, correct?

22 A I believe so, yes.

23 Q And you're directly in front of a  
24 prisoner with a cane, correct?

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1 of the steps at 48 seconds into this Exhibit 19?

2 A I believe I'm either on the steps or  
3 at the bottom of the steps because I'm, at that  
4 point, just letting them -- letting the group  
5 know that what -- there's like a, I guess -- I  
6 don't know how you would call it, maybe like a  
7 small lip that they would need to get over the  
8 lip before they come up the slight ramp.

9 Q So at the bottom of this makeshift  
10 metal ramp, there was some type of obstruction  
11 would you call it or a lip or a curb?

12 A To my knowledge, it's -- like I said,  
13 I'm not the one who designed the ramp. It  
14 looks like it wasn't a smooth transition from  
15 the ramp to the floor.

16 Q So the --

17 A Because the ramp is still angled so  
18 there has to be some kind of, you know, slight  
19 angle where it's not a smooth flat surface.

20 Q Do you see the -- at 48 seconds,  
21 there's an inmate that looks like he's  
22 beginning to break into a jog or a run. Do you  
23 see that gentleman?

24 A I -- he appears to possibly like lift

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1           the front -- like possibly lifting the front or  
2           angling his -- angling the seat so the front  
3           wheels are kind of elevated slightly.  
4       Q     Do you know the name of that prisoner  
5           that's pushing him? That's Mr. Westmoreland in  
6           the wheelchair, correct?  
7       A     Possibly. I didn't see him. I just  
8           see the inmate who was pushing him, not the  
9           actual -- you can't tell the person who is in  
10          the wheelchair.  
11      Q     We'll continue the -- now he's  
12          breaking into a run at 53 seconds, correct?  
13      A     It looked like it, yes, from the time  
14          you had -- from the time you pressed play.  
15      Q     And on the left-hand side, are you  
16          still at the base of the stairs?  
17      A     Like I said, I'm either at the base  
18          of the stairs or on the steps because a  
19          majority of all the other inmates or detainees  
20          are at the top floor. I just have to make sure  
21          I keep some visual on them.  
22      Q     Do you recall giving any instruction  
23          to this inmate in regards to running with the  
24          wheelchair-assisted detainee toward the ramp?

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A I recall letting the group know that they have to lift the front, which is why he, it appears right now to, you know, get in preparation to go up the ramp; but I do recall just letting him know that the front wheels need to be up before they do push up somebody up the ramp.

Q So is it your lay opinion that the wheelchair person on his own couldn't go up that metal makeshift ramp?

A Him personally, not sure. Like I said, everyone is different. So, you know, if somebody is strong enough to wheel themselves up a ramp, I'm sure they will but it just all depends on the individual.

Q Did you have training, sufficient training from the Cook County Sheriff in regards to your responsibilities under the ADA at this point in regards to a disabled person going up or down this ramp?

A Up and down a ramp --

Q Well, let me rephrase the question. Had the Sheriff's Office given you any training on whether or not this ramp on the first floor

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1 of Division 4 was accessible for a wheelchair  
2 detainee under the ADA?

3 MR. RADUNSKY: Just object to form.  
4 Hold on. I think it calls for an expert  
5 opinion. I don't think he's qualified to  
6 give such an opinion given also what he's  
7 told you about his background and his  
8 expertise which he has none in this field.

9 Subject to that, George, you can  
10 answer.

11 BY THE WITNESS:

12 A Yeah, regarding this specific ramp,  
13 no, there wasn't any specific training how to  
14 handle, you know, this specific ramp that's in  
15 the video.

16 BY MR. MORRISSEY:

17 Q In Video Number 17, we'll go back to  
18 17, the video which depicts the ramp that leads  
19 from Cermak into the RTU, had any supervisor or  
20 ADA coordinator for the Sheriff's Office ever  
21 told you whether this ramp was accessible for a  
22 wheelchair-assisted detainee?

23 A That specific ramp itself, no. It  
24 was just from my recollection just a broad

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1 overview on how to handle ramps. It didn't  
2 specify, you know, the type of ramp. It's just  
3 ramp overall in general.

4 Q Based upon your recollection and  
5 training, did any Sheriff's employee or  
6 supervisor ever tell you that the Cermak ramp,  
7 the ramp from the tunnel that goes into the  
8 Cermak building, whether or not that ramp was  
9 accessible or not for disabled people?

10 A No.

11 Q And in regards to the RTU ramp which  
12 is depicted in Exhibit Number 17, has anybody  
13 in the Sheriff's Office ever alerted you or, to  
14 your knowledge, the other correctional staff  
15 that this is a ramp where you need -- where you  
16 must push a detainee up or down that ramp in a  
17 wheelchair?

18 A No.

19 Q In regards to the Cermak ramp, has  
20 any person employed by the Sheriff's Office  
21 ever informed you or any other officer to your  
22 knowledge that the Cermak ramp -- for the  
23 Cermak ramp for a person in a wheelchair going  
24 up or down the ramp, that person must be

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1 offered to be pushed up or down the ramp by an  
2 officer?

3 A No. We were never ordered or  
4 instructed that -- personally me, I would ask  
5 if I'm escorting somebody if they want help  
6 going up the ramp.

7 Q But nobody from the Sheriff's Office  
8 ever told you that for the Cermak ramp, you  
9 have to offer assistance to go up that ramp?

10 MR. RADUNSKY: Asked and answered.

11 You can answer it again. Go ahead.

12 BY THE WITNESS:

13 A No. It's just overall just me, you  
14 know, caring and being a nice person trying to  
15 help somebody. I was never ordered by a  
16 supervisor, hey, this is what you need to do  
17 going up a ramp. It's just if somebody needed  
18 assistance, I would ask, hey, do you need help  
19 and they would tell me yes or no.

20 BY MR. MORRISSEY:

21 Q Going back to Exhibit Number 19,  
22 we're almost done here.

23 A Okay.

24 Q And I appreciate your time.

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1 A No, no. Thank you.

(Video played.)

3 BY MR. MORRISSEY:

4 Q I'm going to stop the video now at --  
5 the video of Exhibit 19 at 54 seconds. Where  
6 were you positioned when -- at this point in  
7 time, 54 seconds into the video of Exhibit 19?

8 A Like I said, I was possibly -- I was  
9 near the stairs either in the middle of the  
10 stairs viewing the rest of the detainees right  
11 there by the ramp, you know, to the left by the  
12 stairs.

13 Q Were you focused on the detainees at  
14 the top of the steps or were you looking at the  
15 person in the wheelchair at the time -- at this  
16 time at 54 seconds?

17 A Both. I knew that I had detainees at  
18 the top of the stairs, and I knew I had a  
19 detainee coming up the ramp, which was -- my  
20 focus was more on them, like I said, because I  
21 was given instructions that they had to lift  
22 the front, you know, for the little lip and  
23 just, you know, make sure that the wheels are  
24 up so they can come up the ramp smoothly.

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1           Q     What did you observe at approximately --  
2 what did you observe as the last detainee in  
3 the wheelchair reached the metal makeshift  
4 ramp, what happened?

5           A     It looked like the person who was  
6 pushing him for some odd reason was building up  
7 momentum heading towards the ramp, and then as  
8 I clearly said earlier, like, if you don't lift  
9 that front wheel, you're going to get stuck and  
10 it appears that that's what happened. The  
11 front wheel caught the ramp and the wheelchair  
12 didn't go up anymore.

13          Q     What happened to the detainee who we  
14 now know is Mr. Westmoreland when the  
15 wheelchair struck the bottom of the curb of the  
16 metal ramp?

17          A     At that time, he slightly fell out of  
18 the chair from the push.

19          Q     Did Mr. Westmoreland fall forward  
20 onto the ramp?

21          A     From my memory, it's around the ramp  
22 area. I'm not sure if it was directly on the  
23 ramp or to the left.

24          Q     Do you remember where Mr. Westmoreland

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1           landed on the ramp?

2           A     Again, like I said, it's towards the  
3 base of the ramp.

4           Q     Do you know what part of his body hit  
5 the ramp?

6           A     To my recollection, I would say hands  
7 because that's the first thing you do when you  
8 attempt to fall, you brace yourself.

9           Q     Do you have -- I understand it's now,  
10 you know, four or five months later. Do you  
11 have a personal recollection of what part of  
12 Mr. Westmoreland's body struck the ramp?

13          A     No, no. I don't know which body part  
14 fell first or hit the ramp or the floor first.

15          Q     Do you recall whether or not  
16 Mr. Westmoreland said anything, yelled out  
17 before he hit the ramp?

18          A     Not to my knowledge.

19          Q     Do you know if the gentleman,  
20 detainee who was pushing him, yelled out  
21 anything when Mr. Westmoreland was thrown from  
22 the wheelchair?

23          A     No. Like I said, it happened so  
24 quickly where he was building up speed up until

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1           the point of impact when Mr. Westmoreland fell  
2 out of the wheelchair.

3           Q     Did you hear anything when  
4 Mr. Westmoreland fell out of the wheelchair or  
5 was thrown from the wheelchair?

6           A     Aside from just the wheelchair  
7 hitting the ramp, like if there was any words  
8 stated, I -- not to my knowledge, not to my  
9 recollection.

10          Q     I'm going to continue the video now  
11 at 54 seconds.

12                 (Video played.)

13 BY MR. MORRISSEY:

14          Q     I'm going to stop it at 1 minute and  
15 4 seconds. Did you see perhaps you're making  
16 movement perhaps down to where Mr. Westmoreland  
17 was thrown from the wheelchair?

18          A     At that point, it was just to see if  
19 he was okay and if he needed help up, but it  
20 happened so quickly where another detainee  
21 helped Mr. Westmoreland to the wheelchair.

22          Q     In this picture at 1 minute 4 seconds,  
23 it appears like -- and it's not a very clear  
24 picture I understand, but it appears that

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1           you're directly to the left of the wheelchair  
2 and the inmate that had been pushing him; is  
3 that fair to say?

4          A     I was near the stairs, yes.

5          Q     All right. We'll continue it.  
6                 (Video played.)

7 BY MR. MORRISSEY:

8          Q     At 1 minute and 10 seconds, it looks  
9 like now that there is an inmate that's down  
10 there also at the base of the stairs along with  
11 you?

12          A     The one who helped Mr. Westmoreland  
13 to the wheelchair, yes.

14          Q     And was the inmate helping to get him  
15 back into the wheelchair from the ground?

16          A     I think he was just helping the foot  
17 placement of where his legs are.

18          Q     We'll continue it.

19                 (Video played.)

20 BY MR. MORRISSEY:

21          Q     Did you take any -- we're at 1 minute  
22 and 44 seconds. Did you take any statement  
23 from Mr. Westmoreland at that time?

24          A     I asked if he was okay.

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1 Q Did you do any report that day?  
2 A Generating a report, no, of the  
3 incident, no.  
4 Q Are there reports when there is an  
5 unusual incident where a person might fall or  
6 injure themselves?  
7 A There's --  
8 MR. RADUNSKY: I will just object to  
9 the foundation. I mean, if it's a serious --  
10 yeah, go ahead, serious accident. Go ahead.  
11 BY THE WITNESS:  
12 A Yeah, if a person falls out of a  
13 wheelchair or falls out of a bunk, like the  
14 bed, like there isn't like an incident report  
15 that's generated from our -- on our behalf that  
16 says, you know, inmate John Doe fell out of  
17 wheelchair. Like that's -- there isn't any  
18 incident report generated for just falling out  
19 of a chair unless it's a severe thing where he  
20 has to go to Cermak or if 911 has to be called.  
21 Q Is there a form called an Incident  
22 Report?  
23 A Yeah, there is an incident report  
24 depending on the magnitude of the situation.

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1       **Like I said, if he has to go to Cermak for --**  
2       **due to an emergency or if 911 has to be called,**  
3       **then an incident report needs to be generated.**

4           Q     And would that be generated by the  
5       tier officer or the movement officer if the  
6       person fell?

7           A     **It would be generated by the tier**  
8       **officer or the Cermak officer.**

9           Q     Does the incident report then get  
10      reviewed by a supervisor or sergeant or perhaps  
11      the superintendent or the watch commander?

12          A     **It would have to be approved or**  
13       **viewed by a supervisor or a sergeant, yes.**

14          Q     And on the incident report, there's a  
15      spot for the officer to fill out what happened,  
16      correct?

17          A     **A narrative, correct.**

18          Q     A narrative. And there's a -- in the  
19      narrative, above the narrative, it says the  
20      location of the incident and the time and who  
21      was present, correct?

22          A     **Yes.**

23          Q     And then there is a narrative in the  
24      incident report for the watch commander or the

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1 supervisor to fill out, correct?

2 A I believe there is a narrative based

3 on the findings and their investigation. They

4 do input a small narrative on the situation.

5 Q And then the incident report, to your

6 knowledge, then goes to the watch commander or

7 the superintendent?

8 A The supervisor will review all

9 incident reports.

10 Q So, in this case, you didn't generate

11 an incident report, correct?

12 A I did not.

13 Q Do you know if anybody else did an

14 incident report?

15 A To the best of my knowledge, no.

16 Q We'll continue the video on Exhibit 19.

17 (Video played.)

18 BY MR. MORRISSEY:

19 Q That concludes the video from

20 Exhibit 19. Do you have any recollection after

21 Mr. Westmoreland was brought up finally that

22 makeshift ramp in Division 4 what happened

23 after that?

24 A So throughout the escort walk, I

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1       asked Mr. Westmoreland a couple of times if he  
2       was okay, if he, you know, needed to go to  
3       Cermak or anything. He, you know, said he was  
4       fine.

5                 When we arrived to the tier, I did  
6       let the tier officer know that Mr. Westmoreland  
7       fell out of the wheelchair, and I let the  
8       sergeant know also.

9       Q       Do you know what time Mr. Westmoreland  
10      fell?

11                 MR. RADUNSKY: Based on your video,  
12      Tom?

13                 MR. MORRISSEY: No, no.

14      BY MR. MORRISSEY:

15       Q       Based upon your recollection.

16                 MR. RADUNSKY: Oh, well, okay. I  
17      don't think it's going to be different than  
18      the video.

19                 But you can answer, George.

20      BY THE WITNESS:

21       A       Like I said earlier, like around  
22      noon, like the afternoon time. The video  
23      clearly shows like 12:50 but from what I said  
24      earlier, like around -- yeah, it was afternoon.

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1 Q Do you know whether or not the tier  
 2 officer or the sergeant made any documentation  
 3 about the -- Mr. Westmoreland falling out of  
 4 his wheelchair?

5 A Not to my knowledge.

6 Q Did you do anything else that day in  
 7 relationship to Mr. Westmoreland falling?

8 A Aside from notifying the tier officer  
 9 and the sergeant, no.

10 Q Did you notify any medical personnel?

11 A No.

12 Q On February 18th, 2023, how did you  
 13 happen to be escorting these inmates over to  
 14 Division 4 to vote?

15 A Like what do you mean, walking?

16 Q Well, it says in an e-mail that you  
 17 sent to this Ms. Canchola that you volunteered?

18 A Yes, for the overtime.

19 Q Oh, you were -- but you were already  
 20 working that day 7:00 to 3:00, correct?

21 A No. 3:00 to 11:00 is my primary  
 22 shift. 7:00 to 3:00 would have been overtime.

23 Q And did they have you come in  
 24 specifically overtime on election day,

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1 Q Who was the shift commander?

2 A That particular day, I don't  
 3 remember.

4 Q All five to eight officers that were  
 5 on this voting detail were brought in by the  
 6 shift commander that day?

7 A No. The shift commander was given a  
 8 list of who is going to help with the voting,  
 9 and then that's how he just -- you know, he  
 10 knew who was assigned for voting movement or  
 11 movement for RTU and for regular day-to-day  
 12 stuff.

13 Q Does the -- to your knowledge, on the  
 14 7:00 to 3:00 shift on February 18th, 2023,  
 15 would there be a record perhaps on the roster  
 16 who the shift commander was on that shift?

17 A I'm sure there is. I'm not sure how  
 18 the shift commanders handle, you know, who was  
 19 in charge, who is not in charge. I don't  
 20 remember if somebody -- if there was a specific  
 21 supervisor for the movement of voting. Every  
 22 shift and every -- you know, shift has a  
 23 different shift commander.

24 Q And the shift commander is the head

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1 February 18th, 2023 to move detainees from the  
 2 RTU to Division 4 to vote?

3 A There was a group assigned for  
 4 movement -- voting movement only.

5 Q And you were asked to do that, come  
 6 in especially on that day to move inmates over  
 7 to Division 4 to vote; is that fair to say?

8 A Yes, I was part of the team that was  
 9 helping them move.

10 Q Did -- how many other officers were  
 11 enlisted to move people from the RTU over to  
 12 Division 4 to vote on election day?

13 A That specific day, I can't recall.  
 14 It ranged from five to eight officers possibly.

15 Q Did you have to show up in the RTU  
 16 for roll call on February 18th before 7:00 a.m.?

17 A No.

18 Q Where did you report on February 18th,  
 19 2023 for duty on the 7:00 to 3:00 shift?

20 A It was still at RTU. It was slightly  
 21 before voting started, and we just reported to  
 22 the shift commander and he gave us, you know,  
 23 the assignments as far as who all has to vote  
 24 and the team as far as who is helping to move.

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1 of the RTU on that day, correct? Each shift  
 2 has a shift commander?

3 A There are multiple sergeants and  
 4 lieutenants.

5 Q But there is one person that acts as  
 6 the overall shift commander on a watch,  
 7 correct, in the RTU?

8 A Correct.

9 Q And when you came in on February 18,  
 10 2023, what time did you report that day?

11 A I think it was -- I would say it's  
 12 before 9:00 a.m.

13 Q So you weren't working the 7:00 to  
 14 3:00. You were working a different time  
 15 period?

16 A I was working the 7:00 to 3:00 shift  
 17 but not those specific hours. I was only  
 18 assigned to work the voting hours for that  
 19 shift.

20 Q Did you continue on after the 7:00 to  
 21 3:00 shift concluded on your regular 3:00 to  
 22 11:00 shift?

23 A I did finish out my regular 3:00 to  
 24 11:00 shift, yes.

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Q So in addition to working a -- did you get credit for a full shift then on voting day if you came in --

A Got credit for -- are you saying for my regular shift or for the overtime shift?

Q For the overtime shift.

A The only credit I was given were the amount of hours I worked. So it was from -- you know, if I clocked in before 9:00, it was from that time to 3:00 p.m. and then my regular shift started at 3:00 to 11:00.

Q What room did you report to on February 18th, 2023?

A The lieutenant's office.

Q And who was the lieutenant that day?

A Again, I don't remember.

Q Where is the lieutenant's office located in the RTU?

A On the second floor near security.

Q And were all the officers that were working the special assignment, did they all report in that room that morning?

A There were some that reported to the lieutenant's area. Most of us, if we got there

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early enough was sitting around security. So we would just tell those who were coming in, hey, we got to report to this floor first and get started.

Q Was there any instruction given to you and the other men and women that were working on this specific task, the voting task on February 18, 2023 in regards to how they were going to move prisoners from the RTU to Division 4 to vote?

MR. RADUNSKY: Asked and answered.

You can answer it again.

BY THE WITNESS:

A So it was a handful of us that were movement for voting. We were just told who -- what floors needed to vote and then just grab the detainees that were eligible to vote and then we took them to Division 4.

BY MR. MORRISSEY:

Q The -- some of those detainees were in wheelchairs, correct, on the third floor that you were working to transport to Division 4, correct?

A Throughout the building, there were

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people in wheelchairs that were going to vote.

Q Did the shift commander tell you the route of passage for the disabled people to go over to 4?

A No. Like I said earlier, there were no specific orders. It was just weather permitting to access the outside area or just utilize the tunnels.

Q Were you aware prior to February 18, 2023 that the first floor of division -- to access the first floor of Division 4 that there was a steep makeshift ramp?

MR. RADUNSKY: Just object to the form, "steep makeshift ramp."

Subject to that, you can answer.

BY THE WITNESS:

A So prior to taking the group of Mr. Westmoreland, I did take that route to escort detainees.

BY MR. MORRISSEY:

Q On more than one occasion?

A Multiple occasions. It was throughout that day.

Q Was that route of travel -- was

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Division 4 used for video court?

A I'm not a Division 4 officer, so I wouldn't know their main function, but I would say they did utilize the gym for court.

Q So as a movement officer in the RTU on occasions, you would move wheelchair-assisted detainees from the RTU over to Division 4 to go to court, to go to video court; is that fair to say?

A Myself, me, no.

Q But you were aware that on an ongoing basis, disabled people were brought over to Division 4 to attend court, correct?

A I was made aware that previously Division 4, the gym area, was used for court.

MR. RADUNSKY: How much more you got, Tom?

MR. MORRISSEY: Not much more.

MR. RADUNSKY: That's what you said an hour ago.

BY MR. MORRISSEY:

Q That morning on February 18th, 2023, did the shift commander give you any instructions or warnings about this ramp that

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1 was in Division 4 when you were transporting  
2 detainees in wheelchairs?

3     **A     No.**

4         MR. MORRISSEY: I have nothing  
5             further. I appreciate your time.

6         MR. RADUNSKY: No problem.

7         THE WITNESS: Thank you.

8         MR. RADUNSKY: All right. George,  
9             just a couple. Let me go back to my notes.

10         C R O S S - E X A M I N A T I O N

11             BY MR. RADUNSKY:

12         Q     Under your training, do you know if  
13             an inmate can refuse to be pushed by an officer  
14             if they have someone else that they want to  
15             push them?

16         A     **My training, yeah, if someone who was  
17             in a wheelchair wanted another detainee to push  
18             them, that would be perfectly fine. We  
19             wouldn't refuse that on our behalf.**

20         Q     Let me ask you this. In your  
21             experience in the time that you were there in  
22             the RTU, do inmates in wheelchairs typically  
23             prefer to be pushed by other inmates instead of  
24             staff?

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1         A     **From my experience at RTU, yes, a  
2             majority of inmates much rather have another  
3             inmate push them than any staff member.**

4         Q     Have you ever seen Mr. Westmoreland  
5             pushed in his wheelchair by other inmates, any  
6             other inmates before February 18, 2023?

7         A     **Throughout that time, just, you know,  
8             just regular passing if I worked the tier or if  
9             I was taking him to religious service and there  
10             was a group of them going to religious service,  
11             then at times, yes.**

12         Q     When you say that staff, you know,  
13             would normally push, when you see staff do it  
14             and they are pushing inmates around in their  
15             wheelchairs, is that typically nurses and  
16             medical staff or is it officers? Is one more  
17             predominant than another? I mean, what's your  
18             observation?

19         A     **Primarily it's nursing staff; but if  
20             an officer needed to -- like we've seen  
21             individuals before, like if it was a bigger guy  
22             the nurse couldn't push, then an officer would  
23             have no issue with that.**

24         Q     I'm assuming during your time over

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1         there, there were instances where you  
2             approached inmates and asked them if they  
3             wanted to be pushed in their wheelchair if you  
4             thought that they may need help?

5         A     **Yes. I actually, not too long before  
6             I left, I ended up pushing Mr. Westmoreland up  
7             the ramp that we seen to the bridge.**

8         Q     After this incident?

9         A     **Yeah. Like well after the incident.**

10         Q     Okay. And when was that? I mean,  
11             when you say "well after the incident," do you  
12             know how long afterwards?

13         A     **It was slightly before I came to the  
14             Sheriff's Police, I was taking him to the  
15             bridge. So we used that route and, you know, I  
16             asked if he wanted me to push him. He said,  
17             yeah, that's fine and I went ahead and pushed  
18             him up the ramp, but he said he was perfectly  
19             fine taking over after.**

20         Q     In the days after the accident when  
21             you saw him in his wheelchair, were other  
22             inmates pushing him and pushing him places like  
23             they were on the date of the incident?

24         A     **At times, they would just, like,**

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1         **casually, walking and talking throughout the  
2             dayroom --**

3         Q     Okay.

4         A     **-- stuff like that.**

5         Q     Mr. Westmoreland has -- was at the  
6             Cook County Jail before, I think, you even  
7             started working there and was there a couple of  
8             years before this incident, and I don't know  
9             how long you had seen him on the RTU or how  
10             frequently; but given how long he had been at  
11             the jail, even before you got there, did you  
12             believe that he understood, given your  
13             observations that he could ask an officer to  
14             push him if that's really what he wanted?

15         MR. MORRISSEY: I'm going to --  
16             BY THE WITNESS:

17         A     **Yes.**

18         MR. MORRISSEY: That's fine.  
19             BY MR. RADUNSKY:

20         Q     In other words, my point is he had  
21             been in the RTU for quite a long period of time  
22             even before you got there. You know, he would  
23             have been familiar with the process. In other  
24             words, if he wanted somebody to transport him

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1 from staff or an officer, he knew that he could  
2 just ask, correct?

3     **A Yes.**

4     Q Had he ever told you that he didn't  
5 understand at any point that he could ask an  
6 officer or staff to push him in a wheelchair?

7     **A No, I never had that situation.**

8     Q Did Mr. Westmoreland that day  
9 February 18, 2023, did he ever ask you to push  
10 him in his wheelchair?

11     **A No.**

12     Q And you never refused, correct,  
13 because he didn't ask you?

14     **A Correct, because he already had  
15 somebody pushing him.**

16     Q So in that scenario, because he  
17 already had somebody pushing him, that wouldn't  
18 be termed a refusal, correct?

19     **A No, not at all.**

20     Q Has any inmate in a wheelchair or any  
21 other mobility device ever told you that they  
22 asked an officer for assistance and that  
23 officer refused?

24     **A No.**

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1     Q The policy that Tom was talking about  
2 earlier regarding movement up and down ramps,  
3 does it prevent inmates from pushing other  
4 inmates in wheelchairs?

5     **A No, not at all.**

6     Q Now, I think you said this about the  
7 signage in the hallways that -- well, let me  
8 ask it this way.

9     Do you recall or don't you recall or  
10 I don't remember the answer if there was  
11 signage in the hallways that specifically  
12 discussed transport of inmates and who could do  
13 it or not do it or how it should be done?

14     **A I don't recall.**

15     Q If there were signs there, you don't  
16 remember exactly what they said?

17     MR. MORRISSEY: I'm going to object.  
18 He said he doesn't recall.

19     MR. RADUNSKY: Okay. That's fair  
20 enough.

21 BY MR. RADUNSKY:

22     Q Did you believe that Mr. Watkins, and  
23 that's the inmate that was pushing  
24 Mr. Westmoreland, based on your observation of

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1 Mr. Watkins if he was physically fit and  
2 physically capable of pushing Mr. Westmoreland  
3 up the ramp? I know you're not a doctor, just  
4 your own personal observations.

5     **A My observation is that he was capable  
6 of doing so.**

7     Q Did Mr. Watkins or Mr. Westmoreland  
8 ever express any concern that Mr. Watkins  
9 didn't have the physical abilities to transport  
10 Mr. Westmoreland?

11     **A No.**

12     Q When -- right before this accident  
13 when they were approaching the ramp, did you  
14 believe that there was going to be an accident  
15 or did you feel that they were going to make it  
16 safely up the ramp?

17     **A I did believe that because, like I  
18 said, there was a brief time where the first  
19 group did struggle a little bit going up; and  
20 throughout the time, I was letting them know  
21 that they got to lift the front.**

22     So from what the video shows, it kind  
23 of does show that they were, I guess, prepping  
24 themselves on how to approach the ramp. I

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1     **thought that it would have been a smooth  
2 transition; but for whatever reason, no, it  
3 didn't occur that way. I thought they, you  
4 know, were going to go up this smoothly. I  
5 didn't -- I had no doubt that there was going  
6 to be an issue like that.**

7     Q When we looked at the video and I  
8 think it was Exhibit Number 19 -- Tom doesn't  
9 have to play it again -- but did you see that  
10 another group or two that were in a wheelchair  
11 had gone up the ramp after voting before  
12 Mr. Westmoreland and Mr. Watkins?

13     **A Yes.**

14     Q And that group or groups of people  
15 that were in the wheelchairs, did they have any  
16 issues getting up or down the ramp?

17     **A No. You could see that there's a  
18 slight pause where they were adjusting the  
19 wheels to go up.**

20     Q And, you know, let me ask you this:  
21 Did any of the groups that you took up and down  
22 the ramp that morning, did any of them have any  
23 accidents or falls on the ramp other than  
24 Mr. Westmoreland?

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**A No.**

Q Did anybody else that was going up the ramp -- I guess Tom used the word run. Did anybody else run towards the ramp in the same manner at the same speed that we saw Mr. Watkins doing with Mr. Westmoreland?

**A No. That was the -- those are the only two individuals that displayed that action.**

Q And did you say that you would have mentioned the lip at the bottom of the ramp to go down slowly when they were using the ramp before this accident?

**A Yes, I did notify and let them know that they had to take their time going down.**

Q And you also mentioned lifting up the wheels when they were going back up the ramp, that it's something that they should consider?

**A Yes.**

Q All right. If you had any idea that this was going to happen that there was going to be an accident, would you just have done it yourself and pushed him?

**A Yeah. You know, looking back at it**TOOMEY REPORTING  
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now, if -- with the circumstance, I would have had no issue pushing all of them up the ramp if I didn't think they were capable of doing so.

Q I know we talked about the group of eight, and four of those people of those eight were in a wheelchair. How many other groups did you bring to voting that day?

**A I want to say around a dozen just random groups --**

**Q Okay.****A -- that day alone.**

Q Did you bring groups in after Westmoreland's accident?

**A Yes. It was multiple groups before and well after.**

Q And, again, and I know I just asked you this, there was no incidences or accidents or similar events that occurred to Mr. Westmoreland?

**A No.**

Q Okay. Oh, I wanted to ask you this, and I don't know if this got brought out. I know that you said when you were talking to Tom about the two routes that you could have taken

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in Division 4, and you mentioned that there was another route that could be taken but unless weather affected it.

Was weather a factor, I mean, on the morning of this incident such that you couldn't take that other route?

**A Yes. It was, you know, slightly cold and, you know, you can't provide, you know, thick winter jackets for all and it was raining also. So I think it was just more feasible to use the basement tunnels.**

Q Let me ask you this: If you were able to come from the outside if the weather was good, would you have gotten to Division 4 faster?

**A A lot faster.**

Q Okay. So going the other route that you guys took, that would take more time?

**A Because there's so many doors you have to go through, yes, it took more time. Going through the outside, you probably only had two, three doors you had to pass.**

Q That metal ramp that we have been looking at in Division 4, do you have any idea

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if that ramp is supposed to comply with ADA code or requirements?

**A No. No, I don't.**

(WHEREUPON, Patrick Morrissey entered the deposition proceedings.)

BY MR. RADUNSKY:

Q Just one more question about his injuries. Did you see any visible signs of injury on Mr. Westmoreland that morning like blood or bruising or anything else?

**A Immediately at that time and even during the escort, no.**

MR. RADUNSKY: Okay. I think that's all I've got.

So, Tom, did you have any follow-up? I don't want to just say we're reserving before...

THE REPORTER: Tom, you're on mute.

MR. RADUNSKY: Is Tom on mute? I don't even see his little mute thing there.

MR. MORRISSEY: We'll be done in about -- very shortly.

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## R E D I R E C T E X A M I N A T I O N

BY MR. MORRISSEY:

Q Officer, on February 18th, 2023, did your shift commander tell you that it was your responsibility in transporting wheelchair-assisted detainees, that when it came to this ramp in Division 4 that it was your responsibility to push Mr. Westmoreland up and down that ramp?

MR. RADUNSKY: It's asked and answered.

You can answer it again. Go ahead, George.

BY THE WITNESS:

**A No.**

BY MR. MORRISSEY:

Q In your entire period as a correctional officer at the jail, did any supervisor ever tell you as an officer when you move a wheelchair person up or down a ramp, that it's your responsibility as a correctional officer to push the person either up or down the ramp?

MR. RADUNSKY: Same objection. Asked and answered. You can answer it again.

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BY THE WITNESS:

**A No.**

BY MR. MORRISSEY:

Q Final question. To your knowledge --  
MR. RADUNSKY: \$64,000 question.  
MR. MORRISSEY: I hope it is.  
MR. RADUNSKY: Go ahead.  
MR. MORRISSEY: Let it be 64 -- I won't go there, Troy.

BY MR. MORRISSEY:

Q To your knowledge --  
MR. RADUNSKY: I heard it.

BY MR. MORRISSEY:

Q To your knowledge, is there any written communication or oral communication given to disabled prisoners at the jail who use a wheelchair that they must ask a correctional officer to be pushed up or down a ramp at the jail?

**A To my knowledge, no.**

MR. MORRISSEY: I have nothing more.  
Thank you for your time, Officer, and good luck in your new career.

MR. RADUNSKY: Great. We will

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reserve signature. And, George, you are free to go. Thanks for the time.

THE WITNESS: Perfect. Thank you. You guys have a good one.

MR. RADUNSKY: No problem. No problem.

MR. MORRISSEY: Thanks a lot.

THE REPORTER: Tom, do you need this written?

MR. MORRISSEY: Probably. Let me give you a call.

MR. RADUNSKY: Peggy, if he orders it, I want a copy, mini, index, like what I usually get.

THE REPORTER: Okay. Thank you.

FURTHER DEPONENT SAITH NOT....

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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

EUGENE WESTMORELAND, )  
individually and for a )  
class, )  
Plaintiff, )  
vs. ) No. 1:23-cv-01851  
THOMAS DART, Sheriff of )  
Cook County, and COOK )  
COUNTY, ILLINOIS, )  
Defendants. )

I, GEORGE J. MARIN, JR., being first duly sworn, on oath, say that I am the deponent in the aforesaid deposition, that I have read the foregoing transcript of my deposition, consisting of pages 1-159 inclusive, taken at the aforesaid time and place and that the foregoing is a true and correct transcript of my testimony so given.

GEORGE J. MARIN, JR.

SUBSCRIBED AND SWORN TO  
me before this \_\_\_\_\_ day

of \_\_\_\_\_, A.D. 2024.  
\_\_\_\_\_, Notary Public

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1 STATE OF ILLINOIS )  
2 ) ss:  
3 COUNTY OF C O O K )  
4  
5 I, Peggy A. Anderson, a Certified  
6 Shorthand Reporter in the State of Illinois do  
7 hereby certify:  
8  
9 That previous to the commencement of  
10 the examination of the witness, the witness was  
11 duly sworn to testify the whole truth  
12 concerning the matters herein;  
13  
14 That the foregoing deposition  
15 transcript was reported stenographically by me,  
16 was thereafter reduced to typewriting under my  
17 personal direction, and constitutes a true  
18 record of the testimony given and the  
19 proceedings had;  
20  
21 That the said deposition was taken  
22 before me at the time and place specified;  
23  
24 That the said deposition was  
25 adjourned as stated herein;  
26  
27 That I am not a relative or employee  
28 or attorney or counsel, nor a relative or  
29 employee of such attorney or counsel for any of  
30 the parties hereto, nor interested directly or  
31 indirectly in the outcome of this action.

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1  
2 IN WITNESS WHEREOF, I do hereunto set  
3 my hand this 17th day of January, 2024.  
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Peggy A. Anderson  
Certified Shorthand Reporter  
License No. 084-003813

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